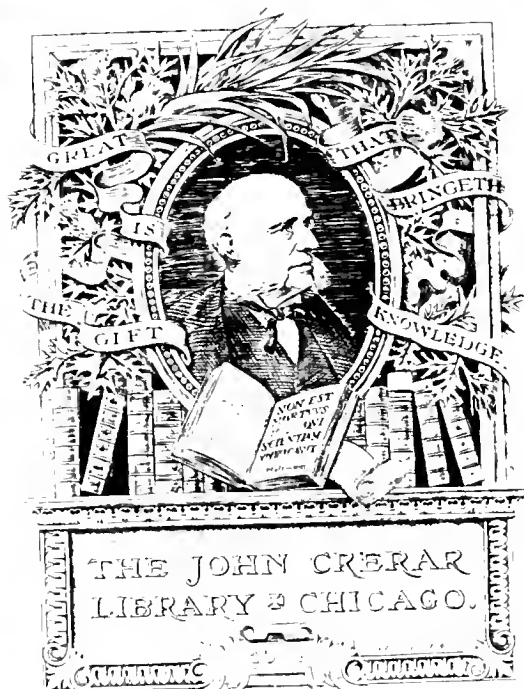




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Letter of Transmittal

Mr. James Bertram, Secretary,
Carnegie Corporation,
New York.

My Dear Mr. Bertram:

The following pages prepared at your suggestion give a brief survey of the laws relating to libraries in the various states and territories.

Most of the public libraries of the country come under four headings which may be found in the index: First, county libraries, a heading which is self-explanatory; second, public (municipal) libraries, which are controlled by the municipal authorities; third, public school district libraries, which are supported for and by school districts, including many city school districts, and are controlled by the direct or delegated authority of the school board, some of the largest public libraries in the country being in this class; fourth, library associations, by which is usually meant association, corporation or other privately owned libraries which have been made public and are sustained wholly or in part by public funds. Where laws refer to cities and districts of different classes, I have appended the laws governing such classification. The laws also provide for State, Law, Historical and other libraries.

I have endeavored to bring out fully those laws which relate to the acceptance of gifts by libraries and the contracts and various other provisions relating thereto. In many cases these have been given verbatim. I refer in the index to laws obviously applying to gifts from Mr. Carnegie or the Carnegie Corporation, even although Mr. Carnegie's name may not be mentioned. I have also endeavored to bring out with sufficient fulness the various provisions for library support.

In looking through the laws, it will be observed that state libraries, traveling libraries, commissions and other state work are usually supported by the appropriation of a definite amount of money, but that county, municipal, school district and other public libraries are supported by the levy of a percentage on the valuation of the taxable property of the political subdivision maintaining the library, the maximum of which is fixed, and further that this maximum varies widely. This information is of little value, however, unless the practice in each state as to valuation of property is also known; and this, I understand, varies, and can hardly be determined by the text of the statutes. It would be desirable to know also what general limitations there may be upon taxation and the power to issue bonds. If the power to tax in any municipality or district, and any limitations thereon, are known, the size of the tax duplicate given in the state auditor's report would show whether the municipality or district is able legally to raise the necessary amount. If the ratio between the tax duplicate and the true value of the

property is known, an opinion can be formed as to whether the community is assuming an undue burden and is therefore less likely to continue it permanently.

I have given rather fully the laws relating to library commissions, as I hope that, through commission work and influence, you may be able to induce public libraries to realize their obligations and meet them. In some states, as you will observe, library commission work is done by some other body, as, for instance, the state library or the board of education.

I have given some laws providing for exemption of library property from taxation. This is done in some states by special laws, in others under general exemption laws; these last have not been fully looked up, and I would have liked to repair this omission if time had permitted. It may, however, be safely assumed that the property of libraries as educational institutions is universally exempt.

When I transmitted to you several months ago the typewritten copies of the laws, I had hoped and planned to spend the less busy time of next summer in looking up these questions and revising the copies sent. I had also intended to include any additional legislation or amendments and note any laws repealed in twelve states whose legislatures are or will be in session this winter or spring, and in so doing to revise the work already done. In complying with your request to print as rapidly as possible, at this time, I regret that these things are not done.

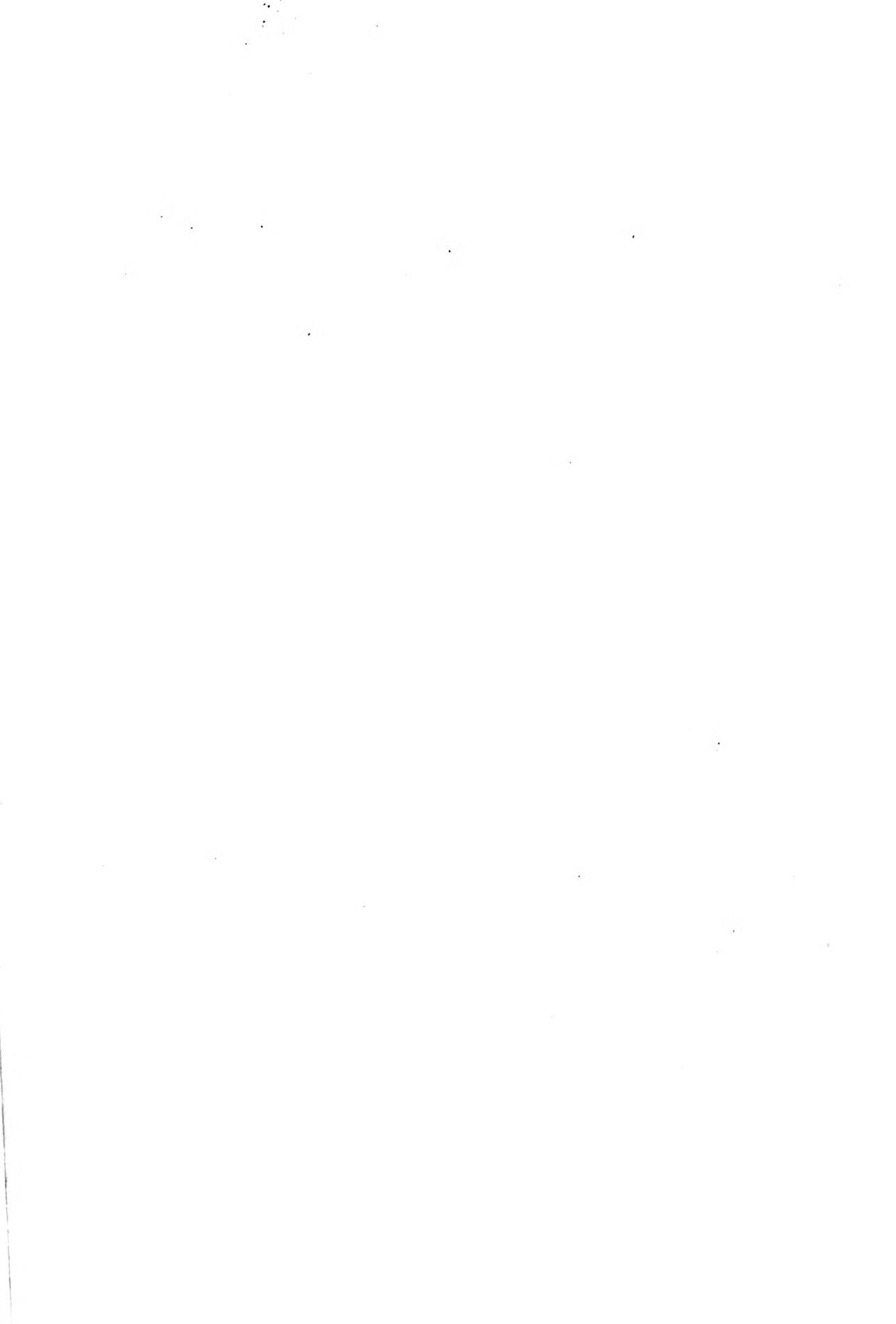
I have been greatly interested in this work, and, while I realize that it still lacks very much, I trust it is sufficiently full and accurate to be of some service to the Carnegie Corporation.

Appreciating the opportunity you have given me to serve them, I am,

Yours very truly,

Wm. H. Brett.

Cleveland, April 20th, 1916



ABSTRACT OF LAWS
RELATING TO LIBRARIES
IN FORCE IN 1915
IN THE
STATES AND TERRITORIES
OF THE
UNITED STATES

Privately Printed
April, 1916

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ALABAMA

LIBRARIES

CODE OF ALABAMA, 1907

SECTION 1358: Cities and towns shall have the right to establish and maintain, or aid in establishing and maintaining, public libraries, either separately or in connection with the public schools.

DEPARTMENT OF ARCHIVES AND HISTORY

CODE OF ALABAMA, 1907, CHAPTER 23

SECTION 793. Establishment:

There is for the state of Alabama a department of archives and history, to be located in the state capitol in apartments to be set aside for its use by the governor. (Verbatim)

SECTION 794. Objects and purposes:

The objects and purposes of the said department are the care and custody of official archives, the collection of materials bearing upon the history of the state, the compilation and publication of the state's official records, the diffusion of knowledge in reference to the history and resources of the state, the encouragement of historical work and research;

[Functions as library commission—traveling libraries:]

to encourage and assist in the establishing of public school libraries, and in the improvement and strengthening of those already in existence; to give advice and provide assistance to librarians and library workers in library administration, methods and economy, and to conduct a system of traveling libraries.

[Functions as legislative reference bureau:]

It shall bring together and arrange for ready consultation a reference collection of materials for the use of the members of the legislature, state officers and others, on all subjects which may from time to time be deemed of public interest and importance to the people of the state, and shall perform such other acts and requirements as may be enjoined by law.

SECTION 795. Board of trustees:

Names nine persons for the nine congressional districts. Fixes their terms at from two to six years.

SECTION 796. Powers and duties of the board of trustees. No compensation:

They shall fill all vacancies, whether by expiration of term or other cause. They shall meet once yearly and as many special meetings

as necessary. The governor shall be a member. The trustees shall receive no compensation but actual expenses, shall make rules, elect a director and staff, provide for publication of historical material, and mark the remains of historical sites and prehistoric mounds, etc.

SECTION 797. Provides for the election of a director.

SECTION 798. Oath of director.

SECTION 799. Duties of director:

Shall direct the work of the department, care for archives, prepare a biennial register, special data concerning Alabama soldiers in the war between the states; report annually to the trustees; provide for publication report of Alabama history commission.

SECTION 800. Other officers authorized to turn over books, documents, etc., to the archives commission.

GENERAL ACTS, PAGE 745, No. 693:

An act requiring libraries to make reports. All libraries other than private libraries, including free public or subscription libraries, libraries of institutions, societies, colleges and schools, are required to make both regular and special reports to the department of archives and history, as may be called for by that department.

SECTION 801. Provides for making copies of documents.

SECTION 802. Authorizes compilation of statistical register, biennially.

SECTION 803. Alabama soldiers:

The department shall make special effort to collect data in reference to the soldiers from Alabama in the war between the states, both from the war department at Washington and also from private individuals, and to cause the same to be prepared for publication as speedily as possible. (Verbatim)

SECTION 804. Provides salary for director.

SECTION 805. Appropriation.

SECTION 806. Provides for printing.

SECTION 807 and 808. Provide for special monuments.

SECTION 809. Appointment of stenographer.

SECTION 810. Publication of state papers, etc.

ALASKA
HISTORICAL LIBRARY AND MUSEUM
COMPILED LAWS OF ALASKA, 1913

SECTION 327. Establishment. Contents. Funds.

For each certificate issued to a member of the bar authorizing him to practice law in the District, a fee of \$10.00 shall be paid to the Clerk of the Court, which shall be by him promptly remitted to the Secretary of the District, and at the same time the Clerk shall advise the Governor of such remittance. For each commission issued to a Notary Public a fee of \$10.00 shall be paid to the Secretary of the District. The fees received by the Secretary under this section and under chapter 74 of Title Thirteen shall be by him retained and kept in a fund to be known as the District Historical Library fund. The fund thus collected shall be disbursed on the order of the Governor for the purpose of establishing and maintaining the District Historical Library and Museum. The same shall embrace copies of all laws relating to the District, and all papers and periodicals published within the District, and such other matter of historical interest as the Governor may consider valuable and appropriate for such collection. The collection shall also embrace such curios relating to the aborigines and the settlers as may be by the Governor deemed of historical importance. The collection thus made shall be described by the Governor in the annual report of the Governor to the Secretary of the Interior, and shall be by him kept in a secure place and turned over to his successor in office. The Secretary of the District and the Governor shall each annually account to the Secretary of the Interior for all receipts and disbursements in connection with such Historical Library and Museum.

The Historical Library and Museum is hereby made and designated Depository of Publications of the Government and shall be supplied with one copy of each of said publications in the same manner as such publications are supplied to other depositories.

(Verbatim)

Note: Chapter 74 of Title Thirteen mentioned above prescribes the duties of the Clerk of the District Court, but makes no mention of fees.

SECTION 328. Funds. Disbursements:

All fees received by the Secretary of the District of Alaska as such Secretary, from every source whatsoever, shall be disbursed on the order of the Governor of the District of Alaska, for the benefit of the Alaska Historical Library and Museum, and all such receipts and disbursements shall be accounted for in the manner prescribed in Section 327, ante.

ARIZONA

STATE LIBRARY

LAWS OF ARIZONA, 1915, PAGE 134, CHAPTER 62

SECTION 1. Establishment:

A state library is hereby established, to be located at the state capitol; to be under the direction of a board of three curators appointed by the governor with the consent of the senate. Terms after the first appointment to be six years.

SECTION 2. Duties of curators. Legislative reference librarian:

Curators shall have control and management of the library, make regulations, elect a chairman and appoint a law and legislative reference librarian who shall act as secretary of the board and hold office at their pleasure. Provided that said board will not be empowered to appoint such librarian during the incumbency of the librarian provided for in section 3 of this act.

SECTION 3. Legislative reference librarian:

Until otherwise provided by law, Con P. Cronin is appointed legislative reference librarian, and shall serve until his successor is appointed. Any vacancy shall be filled by the board of curators.
(Verbatim)

SECTION 4. Legislative reference bureau:

Provides for the maintenance of a legislative reference bureau for the use of state officials and of citizens.

SECTION 5. Duties of legislative reference librarian:

Librarian shall prepare catalogs of laws, bills, resolutions, documents, digests of laws, files and clippings of newspapers, and other printed matter, and shall promptly procure information at the request of State officials.

SECTION 6. Duties:

- (a) To keep duplicate loose-leaf indexed set of statutes.
- (b) To keep duplicate loose-leaf court decisions.
- (c) To supervise compilation and printing of statutes.
- (d) To supervise the printing of particular sections of the statutes.
- (e) To supervise the compilation, indexing and printing of the session laws.

SECTION 7. Duties:

- (a) To attend at library during office hours.
- (b) To act as secretary of the curators; keep records of proceedings.

- (c) Purchase books, sell and exchange documents.
- (d) Keep in order and repair library books.
- (e) Approve claims.
- (f) Keep register of accessions.
- (g) Arrange exchanges of public documents.
- (h) Biennially report to the governor.

SECTION 8. Duties:

Librarian shall neither oppose nor urge legislation, but upon request assist members in preparing bills and resolutions. All such work shall be confidential.

SECTION 9. Duties:

Shall secure and bind state newspapers.

SECTION 10. Recovery of books:

Librarian is authorized to bring suit for the recovery of books.

SECTION 11. Library fund shall consist of the fees collected by the Clerk of the Supreme Court.

SECTION 12. Library hours.

SECTION 13. Librarian's salary.

SECTION 14. Librarian's bond.

LIBRARIES AND READING ROOMS

REVISED STATUTES, 1913, CHAPTER 8

SECTION 1925. Establishment:

Municipal authority of any incorporated city or town having five thousand or more inhabitants authorized and directed to levy annually in addition to all other taxes, a tax not to exceed one-half mill on each dollar for the purpose of establishing and maintaining Free Public Libraries and Reading Rooms, purchasing books, etc., and maintaining such buildings as may be necessary.

SECTION 1926. Donations:

Any such city or incorporated town may receive, hold or dispose all gifts or donations given for library purposes.

SECTION 1927. Library fund:

All money received from each donation, gift or otherwise shall be designated as library fund, paid into city treasury, kept separate from other funds and drawn on only for purposes authorized. All property acquired shall vest and remain in the city.

SECTION 1928. Title to property:

All property, real or personal, created by gift, devise, bequest or otherwise, under the provisions of or for any purpose authorized by this chapter, so vested, be and remain in the proper city and may be protected, defended and sued for by action of law or otherwise, in the name of such city, as in other cases.

SECTION 1929. Trustees:

Municipal authorities may appoint five residents as Trustees to hold office for same time as municipal authorities unless removed by death, resignation or by municipal council for good cause.

SECTION 1930. Office of Trustee honorary without compensation.

SECTION 1931. Organization. Staff:

Shall take charge of all property of library, shall meet on the first Tuesday of each month, and at other times as arranged, may elect president and secretary of their own number and a librarian, resident of the city.

SECTION 1932. Duties of Trustees:

Shall make and enforce rules, administer trusts, prescribe duties of officers, make necessary purchases, order payment of bills, fix salary of the librarian, and with the approval of the common council, purchase real estate, erect buildings, shall elect and may remove at their pleasure all necessary officers.

SECTION 1933. Bills audited by City Auditor and paid by City Treasurer.

SECTION 1934. Annual report to municipal authorities before the 1st day of July.

SECTION 1935. Ordinances. Land:

Municipal authorities shall pass ordinances for protection of library property, shall have power to donate or authorize use of land belonging to the city for library purposes.

ARKANSAS
STATE LIBRARY

DIGEST OF STATUTES OF ARKANSAS, 1904

SECTION 3377. State librarian:

Secretary of state shall be librarian of the state library and have custody of and direction of all books and all property belonging to the same.

SECTION 3378. Provides for the binding of documents.

SECTION 3379. Provides for the arrangement of the library.

SECTION 3380 and 3381. Provides for procuring books, maps, etc., by gift or purchase.

SECTION 3382. Provides for expenses of procuring acts, journals, etc.

SECTION 3383. Provides for auditing of accounts.

SECTION 3384. Specifies certain officials who may draw books.

SECTION 3385. Requires receipt for books.

SECTION 3386. Provides penalties for injury of, or failure to return books.

ARKANSAS HISTORY COMMISSION

SUPPLEMENT TO STATUTES OF ARKANSAS, 1911

SECTION 3881 j. Object and purposes:

There is hereby created the Arkansas History Commission. Headquarters shall be at the state capitol. The object and purpose are the care and custody of archives, collection of materials and historical sources, of the history of the state.

SECTION 3881 k. Commission composed of whom:

The commission shall consist of the chief justice, presidents of the university of Arkansas and the state normal, and six others appointed by the governor and confirmed by the senate. The members first appointed shall serve respectively two, four, six, eight, ten and twelve years, subsequent appointees for twelve years except those appointed to fill vacancies. Commissioners shall hold at least one regular meeting annually, and such special meetings as may be necessary. Five members shall constitute a quorum. Commissioners shall receive no compensation, but necessary expenses shall be allowed. Commissioners shall adopt rules and elect a secretary.

SECTION 3881 l. Duties of commissioners:

It shall be the duty of the commissioners to care for the state archives, the pictures in the state house; to collect portraits, relics,

etc.; to prepare a roster of Arkansas troops, preserve all manuscripts, diaries, etc.; to have control of mounds and relics; to co-operate with the Arkansas Historical Association; to build up at the state capitol a museum, art gallery, and library rich in the sources of Arkansas history; to report to the governor biennially. Said commission shall act as trustee for the state.

SECTION 3881 m. Provides salary for secretary of commission.

SECTION 3881 n. Authorizes public officials to turn over books, records, etc., to commission.

SECTION 3881 o. Commission shall have sixty copies of state publications for exchange.

PUBLIC LIBRARIES

STATUTES OF ARKANSAS, 1904

SECTION 5543. Establishment Levy. (As amended, Acts of Arkansas 1911, Act 160).

Cities of the first and second classes are hereby authorized and empowered to establish and maintain public libraries; and for the purpose of establishing and maintaining public libraries, cities of the first and second classes are hereby authorized to levy and collect a tax of one-half of one mill on all real and personal property situated in the same, provided said tax with the other taxes assessed by said cities shall not exceed five mills.

SECTION 5544. Regulations. Contracts with donors:

Said cities by ordinance are hereby empowered to make such regulations as they may see proper in the establishing and maintaining of said libraries, and to make contracts with parties who may be desirous of making donations to assist in establishing and maintaining said libraries; and said contracts shall be inviolable. (Act of April 13, 1903.

Note: Classification of cities:

Sections 5421 to 5430 inclusive define cities of the first class as those having a population of 5,000 or more, cities of the second class as those having a population of 2,500 or more but less than 5,000.

CALIFORNIA
STATE LIBRARY

CODES OF CALIFORNIA TO 1905 BY J. N. KERR, VOL. 1, POLITICAL CODE

SECTION 2292. Board of trustees:

The state library is under the control of a board of trustees of five members holding office for four years: appointed by the governor.

SECTION 2293. Powers of trustees:

The powers and duties of the board are as follows:

1. To make rules and regulations not inconsistent with law, for its government and for the government of the library.
2. To appoint a librarian who may appoint an assistant state librarian. Said assistant shall be a civil executive officer.
3. To authorize librarian to appoint such other assistants as may be necessary.
4. To sell or exchange duplicate copies of books.
5. To keep in order and repair the property of the library.
6. To draw from the state treasury all monies belonging to the library fund.
7. To prescribe rules and regulations for the use of the library.
8. To collect and preserve statistics pertaining to libraries.
9. To report to the governor biennially.
10. To establish at their discretion, deposit stations in various parts of the state. (Amended statutes 1913, act 1149).

SECTION 2294. Term of librarian:

Librarian holds his office for four years unless sooner removed by unanimous vote of all trustees.

SECTION 2295. Duties of librarian:

1. It is the duty of the librarian to be in attendance during office hours.
2. To act as secretary of the board.
3. To purchase books and other property.
4. To number and stamp all books, maps, etc., and keep a catalog thereof.
5. To have bound all books and papers that require binding.
6. To keep a register of all books added to the library, and of the cost thereof.
7. To keep a register of all books taken from the library.
8. To index statutes of each session of the legislature and furnish marginal notes and index the journals and resolutions of the senate and assembly.

9. To revise and bring to date and index the laws of California.
10. To file such volumes and publications of laws and all other matter as may be required by any state officer or department, in the exercise of his or its official duties under conditions prescribed.

SECTION 2295 a. Distribution of documents:

Makes it the duty of the state superintendent of printing to furnish state publications to the state library for distribution and prescribes the number and method.

SECTION 2296. Use of library:

Books may be taken from the library by members of the legislature and state officers.

SECTION 2297. Same:

Books taken by members of the legislature must be returned at the close of the session.

SECTION 2298. Penalty for non-return:

Provides penalty for non-return of books by members of the legislature.

SECTION 2299. Penalty for injury:

Provides penalty for injury or failure to return books.

SECTION 2300. Funds:

Monies appropriated for state library shall constitute state library fund. (Amended statutes 1913, page 1151).

SECTION 2301. Library hours.

Prescribes hours of opening.

SECTION 2302. Salary of librarian.

SECTION 2304. Bond:

Librarian must execute official bond in the sum of three thousand (\$3,000) dollars.

COUNTY LIBRARIES

GENERAL LAWS, 1913, PAGE 616, ACT 1622

SECTION 1. Supervisors may establish:

Boards of supervisors shall have power to establish and maintain within their respective counties free libraries as prescribed in this act.

SECTION 2. Limits. Publication of notice:

The supervisors may establish at the county seat a free library for that part of the county lying outside of cities and towns or library

districts maintaining libraries, and for such additional parts of such county as may elect to become a part of such county free library system. Notice of such contemplated action shall be published in a newspaper for two successive weeks prior.

SECTION 3. Conditions of participation:

After the establishment of the county free library, the trustees, council or other legislative body of any city or town maintaining a free library or the trustees of any library district maintaining a library may notify the supervisors that such city, town or library district desires to become a part of the county library system and thereafter such city, town or library district shall be a part thereof and the property within such city, town or library district shall be liable to tax levy for county free library purposes. By similar notice such trustees, council or legislative body of such city, town or library district may notify the county commissioners and in like manner cease to be a part of the county library system, or to be liable for taxes. Notice of such participation or withdrawal shall be published at least two weeks in advance in a newspaper properly designated.

SECTION 4. Cities may contract with county libraries for service:

The county supervisors shall have full authority to contract with any incorporated city or town maintaining a library and such incorporated city or town shall through its trustees have power to contract with the county supervisors for the use of the county library by the residents of the city or the town for a consideration to be agreed upon.

SECTION 5. One county may furnish library service to another:

The county supervisors of any county having a free library shall have full authority to contract with the county supervisors of any other county to give to the residents of such other county, such privileges of such county free library upon such consideration as may be agreed upon. The same to be paid into the county free library fund and the board of supervisors of such county shall have full authority to contract with the supervisors of another county wherein a free library has been established and shall have power to levy a library tax for the purpose of carrying out such contract. The making of such contract shall not debar the board of supervisors of such county from establishing a free library if none be already established therein, and upon such establishment such contract may terminate upon such terms as may be agreed upon by the parties, or may be continued for the term thereof.

SECTION 6. Board of library examiners:

A board of library examiners is hereby created, consisting of the state librarian, who shall be exofficio chairman, the librarian of the public library of San Francisco and the librarian of the Los Angeles public library. Members of said board shall receive no compensation, except their actual and necessary traveling expenses, to be paid out of the state library fund. Said board shall pass upon the qualifications of persons desiring to be county librarians, may adopt rules not inconsistent with law, for its own government and for carrying out the purpose of this act. Persons of either sex shall be eligible to certification for the office of county librarian.

SECTION 7. Appointment of county librarian:

Upon the establishment of the county free library board of supervisors shall appoint a county librarian who shall hold office for four years, subject to removal for cause after hearing by said board. No person shall be eligible as county librarian unless he has received from the board of library examiners a certificate of qualification. At the time of his appointment the county librarian need not be a resident of the county, nor a citizen of the state of California.

SECTION 8. Government of county library employees:

The county library shall be under the supervision of the county supervisors who shall have power to make rules and regulations, to establish upon the recommendation of the county librarian, branches and stations, to appoint and dismiss employees upon the recommendation of the county librarian. Employees shall not be removed except for cause, unless their services are no longer required, in which event they shall have the first right to be restored to such employment if such services are again required and they may be employed for a definite time only. All employees whose duties require special training shall be graded in grades established by the county librarian with the approval of the state librarian. Before appointment candidate must pass an examination satisfactory to the county librarian and show satisfactory experience in library work. Work in approved library schools, or certificates of the board of library examiners may be accepted in lieu of such examination. The county librarian may also accept apprentices without compensation and dismiss same.

SECTION 9. County librarian. Bond. Duties. Salary.

The county librarian shall file with the county clerk the oath of office and a bond with approved securities. The county librarian shall under the general rules adopted by the supervisors, build up and manage the library, and shall determine what books and library

equipment shall be purchased. The salary of the county librarian shall vary from two thousand four hundred (\$2,400) dollars to five hundred (\$500) dollars per annum according to the size of the county. The county librarian and his assistant shall be allowed actual and necessary traveling expenses incurred on the business of the office.

SECTION 10. Supervision of county libraries:

The county libraries shall be under the general supervision of the state librarian who shall visit them either personally or by one of his assistants from time to time. He shall call annually a convention of county librarians for the discussion of questions relating to county libraries. The actual and necessary expenses of the state librarian and county librarian shall be paid.

SECTION 11. Report:

The county librarian shall report annually to the state librarian.

SECTION 12. Tax levy. Bonds, etc.

The county supervisors shall levy annually for the support of the library upon the portion of the county participating, a tax not to exceed one mill on the dollar.

County bonds may be issued in the manner prescribed in section 4088 of the Political Code for the erection and equipment of a county free library and the purchase of land therefor. The supervisors are authorized to receive on behalf of the county any gift or bequest to the county free library.

The title of all property belonging to the county free library shall be vested in the county. All funds derived from taxation or otherwise, shall be in the custody of the county treasurer, and shall constitute a separate free library fund.

SECTION 13. County law library:

Provides for cooperation between the county law library and the county free library.

SECTION 14. School libraries:

The county supervisors shall have power to accept for the county free library, books and other property of school libraries and teachers libraries as provided by sections 1565, 1715 and 1716 of the Political Code and to maintain the same as a part of the county free library.

SECTION 15. Disestablishment:

After a county free library has been established, it may be disestablished in the same manner as it was established.

SECTION 16. Contract with public library instead of establishing separate county free library:

The board of supervisors may contract with the trustees or other authority in charge of a free public library in any incorporated city or town and the board of library trustees or other authority in charge of such free library is authorized to make such a contract. Such contract may provide that the public library in such incorporated city or town assume the functions of a county free library within the county in which such contract is made. The board of supervisors may agree to pay annually into the library fund of such incorporated city or town such sum as may be agreed upon. Either party to such contract may terminate same by giving six months' notice.

SECTION 17. Former act repealed, but library continued:

This section repeals the act of April 12, 1909, but provides that all libraries already established under that act shall continue in operation and any contracts entered into under it shall continue in force.

EXEMPTION—PENALTIES

GENERAL LAWS OF CALIFORNIA, 1913, HENNING & DERRING, CONSTITUTION, ARTICLE 13

SECTION 1. Exemption from taxation:

Provides that property used as free public libraries shall be exempt from taxation (Amendment of 1910).

PENAL CODE

SECTION 623. Punishment for injury to library property:

Provides that every person who injures property of any public library is guilty of misdemeanor. (Statutes of 1901, page 99).

SECTION 623 1-2. Punishment for detaining library property:

Whoever wilfully detains any book or other property belonging to any public or incorporated library or reading room for thirty days after notice in writing to return the same given after expiration of the time which such article by the rules of such institution may be kept, is guilty of misdemeanor and shall be punished accordingly.

PUBLIC LIBRARIES

STATUTES OF 1887, PAGE 26, CHAPTER 32

SECTION 1. Gifts and bequests:

Any person intending to found and maintain a public library or other institution for the diffusion of knowledge, may for such pur-

pose convey in writing to one or more trusts named, and to their successors, any library or other property, and such gift shall be considered to be a conveyance of future additions thereto. He may also in like manner and for such purpose convey to such trust or trusts any real or other property for the purpose of providing an income for the maintenance of such institution.

SECTION 2. Additional contributions:

Any contributions or gifts from any other person than the founder shall immediately vest in the trusts and become incorporated in and subject to the trust and to all its condition.

SECTION 3. Conditions of gift:

The person making such gift is founder and may therein designate:

1. The name by which the institution shall be known.
2. Its nature, object and purpose.
3. Powers, and duties of trustees which shall not be exclusive of other powers and duties that in their judgment may be necessary more effectually to carry out the purpose of such institution.
4. The manner by which the successors to the trustees named shall be appointed.
5. Such rules and regulations for the management of the institution as the grantor may elect to prescribe, but such rules shall, unless the grant shall otherwise prescribe be deemed advisory only and shall not preclude the trustees or their successors from making changes as new conditions may require.
6. The place or places where the necessary building shall be erected and the general character thereof and of other things necessary and proper to carry out the purpose of grant.

SECTION 4. Trustees:

The trustees may in the name of such institution, sue and defend in relation to trust property and to all matters affecting the institution.

SECTION 5. Conditions of trust:

By provisions of such gift or grant, the founder may elect to reserve to himself the right of annulment or modification to any act of such trustees in case he shall within thirty days after notice of such act present a notice in writing of such annulment or modification, and upon a like notice he may elect to perform during his life all the powers which are vested in the trustees and their successors; provided, that upon the death or disability to act, of the founder, such powers and duties shall be devolved upon and exercised by

the trustees. The donor may also reserve the right to alter, amend or modify, at any time during his life, or by his last will, the terms and conditions of the gift.

SECTION 6. Selection and duty of trustees:

The founder shall have power to describe the character and personality of the immediate or future trustees, the librarian or other officers and to name the duties to be performed by the trustees or other officers and to declare a limit in compensation.

SECTION 7. Execution and record:

Such gift or grant may be executed and recorded in the manner now or hereinafter provided by law for the execution and recording of grants of real property.

SECTION 8. Limitation:

No suit, action or proceeding shall be commenced to set aside, annul or affect such gift unless the same be commenced within two years after the date of the filing of such grant for record.

SECTION 9. Bequests to the state possible:

Any person, being the founder, making gift or grant for the purpose mentioned in this act, may at any time thereafter by such will or testament bequeath to the state of California, all or any of the property mentioned in such gift or in any supplement thereto, and such bequest will take effect in case the gift shall be annulled or set aside, or the trust therein, for any reason, fail. Such bequest is hereby suffered to be made by way of assurance that the intentions of the grantor shall be carried out and in faith that the state, in case it shall succeed to the property or any part thereof, will to the extent and value of such property, carry out all the wishes and intentions of the grantor.

SECTION 10. Construction of act:

The provisions of this act shall be liberally construed with a view to its objects and purposes and the singular number in the construction thereof shall be deemed to include the plural and the plural shall be deemed to include the singular by law.

SECTION 11. Does not effect previous act:

Nothing in this act shall repeal, modify or change "An act to advance learning, etc." (Approved March 9, 1885).

SECTION 12. This act shall take effect immediately.

MUNICIPAL LIBRARIES
GENERAL LAWS, 1913, PAGE 614

Act 1620:

To provide for the establishment and maintenance of public libraries in municipalities. (Passed 1901, amended 1905, amended 1909).

SECTION 1. Establishment:

The common council, board of trustees or other legislative body in any incorporated city or town may, and upon request of one-fourth of the electors of such corporation in the manner hereinafter provided, must by ordinance establish a public library; provided there be none already established therein.

SECTION 2. Petitions:

The request referred to in the preceding section may be of one or of several petitions; provided, that such several petitions be substantially in the same form and such singular petition has or such several petitions in the aggregate have the signatures of the requisite number of electors.

SECTION 3. Management:

Such public library shall be managed by a board consisting of five members, to be appointed by the mayor or other executive head of the municipality, with the consent of the legislative body of the municipality; shall serve without compensation and hold office for three years; provided, that the members of the first board shall classify themselves by lot so that the term of one expires at the end of the current year, two one year thereafter and two two years thereafter. Men and women shall be equally eligible for appointment and vacancies shall be filled by appointment for the unexpired term.

SECTION 4. Meetings of trustees:

Trustees shall meet at least once a month. Special meetings may be called at any time by three trustees, by written notice served upon each member at least three hours before the time specified. Majority of the board shall constitute a quorum. Board shall appoint one of their number president for one year. Board shall cause proper record of the proceedings to be kept.

SECTION 5. Powers of trustees:

Boards of library trustees shall have power:

1. To make and enforce all necessary rules, regulations and by-laws.
2. To administer any trust declared or created for such libraries and receive by gift, devise or bequest, and hold in trust or

otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries.

3. To prescribe the duties and powers of the librarian and secretary and other officers and employees; to appoint such officers and employees and fix their compensation. Such officers and employees shall hold their positions at the pleasure of said boards.
4. To purchase necessary books, publications and other personal property.
5. To purchase real property, erect, rent and equip buildings or rooms, when in their judgment suitable provision has not been made for such libraries by the legislative body in the municipality.
6. To require state officials to furnish such libraries with all state publications not otherwise disposed of by law.
7. To borrow books from, lend books to and exchange with, other libraries, and allow non-residents to borrow books upon such conditions as they may prescribe.
8. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.

SECTION 6. Annual report:

Library board shall annually report to legislative body of their municipality and forward a copy of the report to the state library at Sacramento.

SECTION 7. Annual tax levy:

The legislative body of any municipality in which a public library has been established in accordance with such act, shall, if the maintenance of the library has not otherwise been provided for, levy a tax for the maintenance of the library and purchasing property necessary therefor; provided, that after two years from the establishment of new libraries, in a municipality of the first, second or third class, such tax shall not exceed two mills on the dollar; in a municipality of the fourth, fifth or sixth class, such levy shall not exceed three mills on the dollar.

Note: Classification of municipalities:

General Laws, Page 1041:

All cities having more than twenty-three thousand people constitute the first, second and third classes.

All cities having a population not exceeding twenty-three thousand constitute the fourth, fifth and sixth classes.

SECTION 8. Disposition of revenue:

The revenue from said tax together with all money acquired by gift, bequest or otherwise, shall be apportioned to a library fund to be applied to the purpose herein authorized. If payment into the treasury should be inconsistent with the condition of any such gift or bequest, the board shall provide for the care of the same and its application to use for the library in accordance with the conditions of the gift or bequest. Payment from such fund shall be made upon warrants duly audited and signed by the president and secretary of said board; the treasurer of the municipality shall pay such warrants without any further authority.

SECTION 9. Library to be free:

Every library established under this act shall be forever free to the inhabitants and non-resident taxpayers of the municipality, subject to the rules and regulations of the library trustees.

SECTION 10. Lending of books:

Library trustees may contract for lending books of such libraries to residents of the county in which the libraries are situated, or neighboring municipalities, upon a reasonable compensation.

SECTION 11. Title to property:

Title to all property acquired for such libraries when not inconsistent with the terms of its acquisition or otherwise designated, shall vest in the municipalities in which such libraries are situated.

SECTION 12. Act of 1880 repealed:

An act to establish free public libraries, etc., approved April 26, 1880 is hereby repealed; provided, that as to existing libraries this act is deemed an addition thereto and such libraries shall be governed thereby, provided, further that this act shall not apply to any library established by the provisions of a city charter, and any city charter shall not be affected by this act.

SECTION 13. Disestablishment:

Any ordinance establishing a library under the provisions of section 1 of this act must be repealed by the body which adopted it upon the request of fifty-one per cent of the electors.

LIBRARIES IN UNINCORPORATED TOWNS AND VILLAGES

GENERAL LAWS, 1913, PAGE 621, ACT 1623

(Passed 1909; amended 1911).

SECTION 1. Establishment:

Any unincorporated town or village may establish, equip and main-

tain a public library for the dissemination of knowledge in accordance with the provisions of this act.

SECTION 2. Manner of establishment:

Upon the petition of fifty or more taxpayers and residents of said town or village to the board of county supervisors, praying for the establishment of a library district and setting forth its proposed boundaries, said board of supervisors must within ten days order an election to be held in the proposed district to determine the question and shall appoint three electors to conduct said election.

SECTION 3. Election called:

Said election shall be called by posting a notice and publication for not less than fifteen days; notice specifying time, place and purpose of said election and hours during which polls will be open.

SECTION 4. Conduct of election:

Said election shall be conducted in accordance with general election laws.

SECTION 5. Qualifications of electors:

Every elector, resident within the proposed district qualified to vote at a general election shall be entitled to vote at the said election.

SECTION 6. Returns:

The election officers shall report the result of said election to the supervisors within five days thereafter.

SECTION 7. Appointment of trustees:

If the majority of the votes at said election are favorable, said supervisors must establish said library district and appoint three electors and residents as a board of library trustees. Such trustees shall hold office for three years from the first day of July next succeeding and serve without compensation; provided, that of the first board appointed, one shall go out of office on the thirtieth day of June next and one at the end of one year thereafter, and the other at the end of two years thereafter.

SECTION 8. Proceedings if proposition be defeated:

If the majority of votes be against a library district, the supervisors shall so declare. No other proceedings in relation thereto, shall be taken until the expiration of one year from the date of the presentation of the petition.

SECTION 9. Validity of the district:

The presentation of the petition, the order of establishing the district and the appointment of the trustees shall be entered in the

minutes of the supervisors and shall be conclusive evidence of the existence and validity of the district.

SECTION 10. Meetings of trustees:

Trustees shall meet at least once a month. Special meetings may be called at any time by two trustees. Two members shall constitute a quorum. Board shall organize by electing one of its number president, and another secretary, shall cause a record of proceedings to be kept and must immediately file with the state librarian at Sacramento a certificate showing that such library has been established with the date and names of trustees and officers of the board.

SECTION 11. Powers and duties of trustees:

Said board of library trustees shall be authorized and shall be empowered, and it shall be their duty:

1. To make and enforce all rules, regulations and by-laws necessary for the library.
2. To administer any trust declared or created for such libraries and receive by gift, devise or bequest and hold in trust or otherwise property situated in this state or elsewhere and where not otherwise provided, dispose of same for the benefit of such libraries.
3. To prescribe the duties and powers, to appoint and to fix the compensation of the librarian, secretary and other officers and employees, who shall hold their offices and positions at the pleasure of said board.
4. To purchase necessary books and other personal property.
5. To purchase such real property and erect, rent and equip a building or buildings and room or rooms as in their judgment may be necessary to carry out the provisions of this act.
6. To require state officials to furnish state publications not otherwise disposed of by law.
7. To borrow, lend and exchange books with other libraries and to allow non-residents to borrow books upon such conditions as they may prescribe.
8. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act.
9. To file on or before the last day of July each year a report to the state librarian at Sacramento.
10. To designate the hours during which the library shall be open for the use of the public; provided, however, that all public libraries established under the provisions of this act

shall be open for the use of the public during every day in the year.

SECTION 12. Estimates of expenses. Bond. Election:

In any library district formed under this act which is now maintaining or intends to maintain a public library, it shall be the duty of the library trustees to furnish to the county supervisors on or before the first of September an estimate of the cost of leasing temporary quarters, of purchasing a lot, securing plans and specifications and erecting suitable building, furnishing and equipping same, fencing and ornamenting grounds for the accommodation of the public library and conducting and maintaining the same for the ensuing year, or for any or all said purposes; provided, that the board of trustees may upon the petition of fifty or more taxpayers call an election and submit to the electors whether the bonds of said library district shall be sold for any or all of the purposes of this act.

SECTION 13. Special tax levy:

When such estimate shall have been submitted to the county supervisors, said supervisors must at the time of levying the county tax, levy a special tax upon the said library district sufficient for the purposes of section 12 of this act.

SECTION 14. Library funds:

The revenue derived from said tax together with all money acquired by gift, bequest or otherwise for the purpose of the library, shall be paid into the county treasury to the credit of the library fund of the district, subject only to the order of the library trustees. If such payment into the treasury should be inconsistent with conditions of any gift or bequest, the trustees shall provide for the safety of the same and its application to the use of the library in accordance with the conditions of such gift or bequest.

SECTION 15. Library to be free:

Every library established under the provisions of this act shall be forever free to the inhabitants and non-resident taxpayers of the library district, subject to the rules and regulations of the board of trustees.

SECTION 16. Loan of books:

Provides for the loan of books to neighboring municipalities, library districts or the inhabitants of the county in which the library is situated upon the payment of a reasonable compensation.

SECTION 17. Title of library property:

Title to all property of such libraries when not inconsistent with

the terms of its acquisition, or not otherwise designated, shall vest in the district in which such libraries are situated.

SECTION 18. Election of trustees:

Election for library trustees must be held in each library district annually for the election of one trustee who shall hold office for three years, dating from the first day of July next succeeding his election.

SECTION 19. Number of trustees:

Number of library trustees in any library district established under this act shall be three.

SECTIONS 20 to 27 inclusive. Provide notice of and conduct for election of library trustees.

SECTION 28. Election for bond issue:

Trustees of any library district may upon the petition of fifty or more taxpayers and residents call an election upon the question of issuing bonds for the purchase of land and erection of a building and equipping same, and fencing and ornamenting grounds or for any or all of these purposes.

SECTIONS 29 to 32 inclusive:

Provide proper notice of and form for holding election for issuing of bonds.

SECTION 33. Canvass of election and amount of bonds:

On the seventh day after said election, the returns having been made, the board of trustees shall canvass said returns and if it appears that two-thirds of the votes were cast in favor of the issue of such bonds, the board shall cause an entry of such fact to be made upon its minutes and certify to the county supervisors all the proceedings, thereupon said supervisors shall be authorized and directed to issue the bonds of said district to the number and amount provided in such proceedings; payable out of the building fund of said district, the money to be raised by taxation in said district for the redemption of said bonds and the payment of interest thereon; provided, that the total amount of bonds so issued shall not exceed five per cent of the taxable property of said district.

SECTION 34. Form of bonds:

County supervisors shall prescribe form of bonds and fix time at which they shall be payable, which shall be not more than forty years from the date thereof.

SECTION 35. Interest:

Said bonds shall not bear a greater amount of interest than six per

cent to be payable annually or semi-annually and must be sold for not less than par. The proceeds of the sale must be deposited in the county treasury to the credit of the building fund of the library district.

SECTION 36. Tax levy:

The board of supervisors shall annually levy an amount sufficient to pay the interest upon these bonds and provide a sinking fund for their payment at maturity.

SECTION 37. Disposition of unsold bonds:

When any such bonds shall remain unsold for a period of six months, they may upon petition and public hearing be canceled by the county commissioners.

SECTION 38. Dissolution of district:

Such library district may be dissolved by the vote of two-thirds of its qualified electors; provided, that it shall if it has any indebtedness, continue in existence for the purpose of levying taxes for the payment of this indebtedness and interest until the indebtedness is fully discharged. The property of the library district so dissolved shall become the property of any incorporated town or city in which the library may stand, and if there be no such incorporated town or city, shall be vested in the board of supervisors of the county until the formation of such town or city.

SECTION 39. Repeals all conflicting acts or parts of acts.

SECTION 40. This act shall take effect immediately.

SCHOOL LIBRARIES

POLITICAL CODE, 1906, VOL. 1

SECTION 1617. Trustees:

The powers and duties of trustees of school districts and of boards of education in cities are as follows:

* * * *

11. To appoint district librarians and enforce the rules for the government of district libraries.
12. To exclude from schools and school libraries all books, publications and papers of sectarian, partisan or denominational character.

* * * *

20. Provides that in case of its destruction by fire the proceeds of the insurance of library property so destroyed, shall be paid into the library fund.

SECTION 1712. Expenditure of funds:

Provides that the library fund together with monies added thereto by donation shall be spent for school apparatus and books for a school library including books for supplementary work; that all purchases must be approved by the county superintendent of schools; that all books must be properly labeled.

SECTION 1713. Amount of school fund:

Except in cities not divided in school districts, the library fund shall consist of not less than five or more than ten per cent of the county school fund annually apportioned to the district; provided, that not more than fifty (\$50) dollars shall be apportioned to any district except those having five or more teachers.

SECTION 1714. Funds for libraries. (As amended Statutes, 1915, Chapter 173):

The county superintendent of each county or city and county not divided into school districts shall annually apportion to such city, or city and county such sum as may be requested in writing by the board of education at least thirty days before the first of the month in which the supervisors are required by law to levy taxes. In no case shall the sum apportioned exceed eighty cents for each pupil of average daily attendance in the elementary schools: Provided, that in each city and county comprising a single district the amount apportioned shall be not less than forty cents for each pupil of average daily attendance in the elementary schools. Amounts so apportioned to be deducted from county school fund and credited to library fund; provided further, that if the board of education of any city or city and county, shall fail to file such request, the county or city and county superintendent shall apportion to the library fund of such city or city and county, such amount not in conflict with the provisions of this act as he may deem advisable. All money so apportioned shall be expended only in accordance with the provisions of section 1712 of this code.

SECTION 1715. Use of library. County library. (As amended 1915):

Libraries may be maintained under the district board of trustees or city board of education and shall be opened to teachers, pupils and all residents of the district whenever practicable; shall be kept open during vacation and non-school days.

In counties having a county library, the school trustees or board of education may arrange to make the school library a branch of the county library. (Amended 1909). In any city maintaining a public library the board of education of such city may enter into a similar arrangement with the governing body of such library.

SECTION 1716. Appointment of librarian, etc.:

Provides for the appointment of a librarian by the board of trustees. (Amended 1909).

SECTION 1717. Responsibility of trustees:

Makes the trustees accountable for the proper care of the library property and requires them to report annually to the county superintendent.

UNION HIGH SCHOOL DISTRICT LIBRARIES

GENERAL LAWS, 1913, PAGE 1698, ACT 4517

(Passed 1911)

SECTION 1. Establishment:

Any Union High School District may establish, equip and maintain a public library.

SECTION 2. Petition:

Upon the petition of fifty or more taxpayers, residents in any Union High School District, asking for the establishment of a library district and setting forth the proposed boundaries, the board of supervisors must after ten days, order that an election be held and appoint three electors to conduct said election.

SECTIONS 3 to 6. Conduct of election:

Provide for the conduct of the election and the report of the result to the county supervisors.

SECTION 7. Two-thirds vote for:

If two-thirds of the votes of said election shall be in favor of a Union High School Library District, the supervisors shall establish such district and place it in the control of the trustees of said Union High School District. Such trustees shall severally hold office during the term for which they shall have been elected as trustees of such Union High School District.

SECTION 8. One-third vote against:

If one-third of the votes cast shall be against the library district a board of supervisors shall so declare. No other proceedings shall be taken until the expiration of one year.

SECTION 9. Record:

The presentation of the petition and the order of establishing the library district entered in the minutes of the board, shall be conclusive evidence of the existence and validity of the district.

SECTION 10. Library trustees, meetings, etc.:

The board of library trustees shall meet at least once a month. Special meetings may be called by two trustees. Three members shall constitute a quorum. Board shall organize by electing one of its number president and another secretary; shall cause proper record of proceedings to be kept, and immediately cause to be made out and filed with the state librarian at Sacramento, a certificate showing the establishment of such library, the date, the names of trustees and the officers.

SECTION 11. Powers of trustees:

The library trustees shall be authorized and empowered and it shall be their duty:

1. To make and enforce all rules, regulations and by-laws necessary for the library.
2. To administer any trust declared or created for such libraries and receive by gift, devise or bequest and hold in trust or otherwise, property situated in this state or elsewhere, and where not otherwise provided, dispose of the same for the benefit of such libraries.
3. To prescribe the duties, appoint and fix compensation of librarian, secretary, and other officers and employees who shall hold their positions at the pleasure of the board.
4. To purchase necessary books and other personal property.
5. To purchase real property, erect, rent and equip a building or buildings, room or rooms as may be necessary.
6. To require the state officials to furnish state publications not otherwise disposed of by law.
7. To borrow books from, lend to and exchange with other libraries and to allow non-residents to borrow upon conditions prescribed.
8. To do and perform any and all acts or parts of acts and things necessary and proper to carry out the provisions of this act.
9. To file a report each year with the state librarian at Sacramento.
10. To designate the library hours; provided, that all public libraries shall be open at all reasonable times.

SECTION 12 to 17. Repeat sections 12 to 17 of Act 1623.

SECTION 18. Bond election:

The library trustees of any district may, when they deem it advisable, and must upon the petition of fifty or more taxpayers and residents, call an election and submit the question of issuing bonds

for the purchase of land, erecting and equipping a building and improving the grounds for the accommodation of the Union High School Library.

SECTION 19. Provides form of election.

SECTION 20. Provides that the board shall canvass the returns on the seventh day after the election and if two-thirds of the votes cast are in favor of issuing bonds, the board shall enter such fact upon the minutes and certify it to the supervisors of the county. Thereupon said supervisors shall be authorized and directed to issue bonds of said district to the number and amount named in such proceedings; provided, that the total amount shall not exceed five per cent of the taxable property of said district.

SECTION 21. Bonds:

The supervisors shall prescribe the form of said bonds and fix the time for payment, which shall not be more than forty years from date.

SECTION 22. Maximum interest:

Said bonds shall not exceed a greater amount of interest than six per cent, payable annually or semi-annually, and shall not be sold for less than par. The proceeds shall constitute a building fund.

SECTION 23. Tax levy for interest, etc.:

Provides for the levy of a tax for the payment of interest on the bonds and their payment at maturity.

SECTION 24. Provides for the cancelation of unsold bonds:

SECTION 25. Provides for the dissolution of the district upon a vote of two-thirds of the electors and the payment of all outstanding indebtedness.

CIVIL SERVICE COMMISSION

GENERAL LAWS OF 1913, PAGE 398, CHAPTER 95

* * * *

SECTION 7. Position exempt:

Positions held in the following specified classes are exempt from such method of appointment.

* * * *

SECTION 11. State librarian:

The chief deputy or assistant state librarian and also one person holding a position having a confidential relation to the state librarian and appointees, under provisions, for court, law, teachers, school and county libraries.

Note: A note in the library laws of California, edition 1913, says the civil service act applies to state library and not to other libraries in the state.

COLORADO

STATE LIBRARY

COURTRIGHT'S COLORADO STATUTES, 1913, CHAPTER 82—LIBRARIES

SECTION 3951. Librarian, etc.:

State superintendent of public instruction shall be ex-officio librarian for the State. State library shall be kept in rooms provided for it by the State, and shall be kept open four hours specified daily.

SECTION 3952. Duties of librarian:

Librarian shall have charge of books, maps, newspapers and other property of the library.

SECTION 3953. Same:

Shall receive books and documents for the library.

SECTION 3954. Same:

Shall receipt for and keep a record of books received.

SECTION 3955. Same:

Librarian shall make necessary rules and direct expenditures.

SECTION 3956. Same.

Librarian shall exchange public documents with other legislative bodies and libraries.

SECTION 3957. State publications:

Librarian is directed to turn over to public libraries in the State such books, pamphlets, etc., as can be spared.

SECTION 3958. Library regulations:

All persons may visit and read in the library; may take out books by making a deposit. Various state officers named have free access to the books and the library, taking them out under proper regulations; but no such public officer may give any other person an order to draw books.

SECTION 3959. Report:

Librarian shall report biennially.

SECTION 3960-63. Mineral cabinet:

Librarian shall collect and arrange a mineral cabinet.

SECTION 3964. Bond:

The librarian shall give sufficient bond.

SUPREME COURT LIBRARIES

SECTION 1428. Books:

State librarian and all other officers of the state required to deposit copies of statutes and other books of law in the library of the Supreme Court.

SECTION 1429. Duties of librarian:

Provides hours of opening the library.

SECTION 1430. Library fund:

Auditor of state directed to set aside the fees received by state treasurer from the fees paid to the clerk of the Supreme Court, as a Supreme Court Library fund.

BOARD OF LIBRARY COMMISSIONERS

SECTION 3942. Establishment:

Creates a board of library commissioners of five residents of the state appointed by the Governor. Terms after the first appointment shall be five years. To serve without compensation.

SECTION 3943. Duties of commission:

Commission shall give assistance and counsel to all free libraries; to all committees which may propose to establish them, and the persons interested, upon their establishment, maintenance, book selection, cataloging, etc., as it shall find practicable. Commission may send its members to aid in organizing or improving libraries.

SECTION 3944. Reports of libraries:

Every library supported wholly or in part by public funds shall report annually to the commission.

SECTION 3945. Report of commission:

Commission shall report biennially to the governor.

SECTION 3946. Expenses:

Board may expend a sum not exceeding two hundred and fifty (\$250) dollars annually for clerical and incidental expenses.

TRAVELING LIBRARY COMMISSION

SECTION 3947: Creates traveling library commission of five members, who shall serve without compensation, be appointed by the governor from a list of names submitted by the Colorado Federation of Women's Clubs, shall go into operation July 1, 1903.

SECTION 3948. Terms:

The terms after the first appointment shall be for three years.

SECTION 3949. Powers and duties:

Shall have the power to hold in the name of the State property and apparatus necessary to create and keep in operation free traveling libraries; shall make reasonable regulations; and such books when sent out shall be kept for the general use of the public, and the commission shall distribute and at intervals change the libraries in such manner as to secure their greatest use.

SECTION 3950. Offices:

Suitable accommodations shall be provided in the capitol building for the traveling library commission.

PUBLIC LIBRARIES

SECTION 3965. Fines applied to public library:

Clear proceeds of all fines for any breach of the penal ordinances in any city and for penalties or any recognizance in criminal proceedings may be exclusively applied to the establishment and support of public libraries as hereinafter provided.

SECTION 3966. Establishment:

Any city in this state may establish a public library under the provisions of this act, whenever the common council of such city shall by ordinance determine to establish the same.

SECTION 3967. Library committee:

Whenever the council of any city shall pass an ordinance to establish a public library, the mayor shall appoint three persons as a library committee, for the term of one year, whose appointment shall be confirmed by the council.

SECTION 3968. Duties of committee:

Shall expend the money provided for library purposes; make rules and regulations; appoint a staff; have general control of the library; report annually to the council.

SECTION 3969. No compensation. Bond:

Members of the library committee shall perform their duties without compensation, and shall give bond of five hundred dollars (\$500).

SECTION 3970. Power to sue:

Such committee shall have the power to sue and be sued in all matters relating to the library or library funds.

SECTION 3971. Association library:

Council or trustees of cities or towns may apply any part of the fund provided in section 3965 for the benefit of any library association, provided such library association will give the common council or board of trustees such representation upon its board of management as may be required.

SECTION 3972. Cities may establish:

The council of any city or the trustees of any town may establish and maintain public library and reading room, and may levy a tax therefor not to exceed one mill, and in cities of over one hundred thousand (100,000), after such library and reading room have been established, shall levy a tax of not less than one-fourth of a mill, and not to exceed one mill.

SECTION 3973. Board of directors. Appointment:

When any city council or board of trustees shall have decided to establish a public library, the mayor shall, with the approval of the council or trustees, appoint six persons who shall constitute a board of directors; and not more than one member of council shall be at any one time a member of such board.

SECTION 3974. Terms of office. Vacancies:

Such directors shall hold office one-half for one year; one-half for two years; their successors for two years. Vacancies shall be filled by election by the remaining members of the board.

SECTION 3975. No compensation. Removal:

No member shall receive any compensation. Any member may be removed by his associates for misconduct.

SECTION 3976. Powers. Gifts:

Such board shall constitute a body corporate, and may receive gifts for the library, be a party to all suits, proceedings, and contracts, the same as municipal corporations in this state, and shall have power:

1. To elect officers.
2. To make by-laws, rules and regulations.
3. To employ and discharge staff, direct expenditures of monies, construction of buildings, care of grounds and buildings and other property.
4. To lease and purchase grounds and buildings, and construct buildings.
5. To contract indebtedness by borrowing money and issuing bonds.

6. To do all things necessary for maintaining and developing libraries and reading rooms.

SECTION 3977. Library fund:

All monies shall be deposited with the treasurer of the city as a library fund, and shall not be turned into the general fund.

SECTION 3978. Rules:

Library shall be free under rules adopted by the directors, who may extend the use to residents of the State outside of the city, upon such terms as they prescribe.

SECTION 3979. Report:

Board of directors shall report annually to the city council.

SECTION 3980. Penalties:

The council or board of trustees of any such city, or the board of trustees of any incorporated town shall have power to pass ordinances prescribing penalties for injury or failure to return library property.

SECTION 3981. Donations:

Any person may donate money, personal property or real estate, for the benefit of such library or reading room, and vest title thereto in the board of directors, to be held and controlled by them when accepted according to the terms of the deed, gift or bequest.

SECTION 3982. May purchase or lease libraries:

Gives the directors of public libraries power to purchase or to lease the library belonging to any library association, and prescribes the form for the transaction.

SECTION 3983. Same.

Gives details of form of transfer. Requires that stock-holders representing a majority of the stock must vote in favor of the sale or lease.

SECTION 3984. Repeal. Saving clause:

This section repeals an act of April 3, 1893, with the saving clause that all proceedings heretofore taken under this act shall stand and continue.

NEWSPAPERS

Laws of 1915, page 331, Chapter 115. An act to dispose of newspapers in the State Library.

SECTION 1. State librarian is hereby directed to turn over to the librarian of any free public library in this state, if desired for public use therein, the newspapers published in the State that are now on file in the Library or that may hereafter be added thereto.

SECTION 2. Repeals conflicting acts.

CONNECTICUT
STATE LIBRARY

GENERAL STATUTES OF CONNECTICUT, 1902, CHAPTER 260

SECTION 4615, as amended 1911. Membership:

The General Assembly shall biennially appoint two persons who, with the governor, shall constitute the state library committee. Said committee shall have charge of the state library and supreme court buildings and the grounds connected therewith, and shall appoint a state librarian who shall have charge under them of said building and the grounds connected therewith, report biennially to the General Assembly and perform such other duties as may be required by law. (Verbatim).

SECTION 4616. Expenditures:

State librarian may annually purchase for the state library, such books as the state library committee may direct or authorize, at an expense of not exceeding one thousand dollars in any one year. (Verbatim).

CONNECTICUT HISTORICAL SOCIETY

GENERAL STATUTES, 1902, CHAPTER 262

SECTION 4627. Connecticut historical society:

Makes appropriation for Connecticut Historical Society and designates its work.

SECTION 4628. Provides for distribution of its publications.

PUBLIC LIBRARY COMMITTEE

PUBLIC ACTS OF 1915, CHAPTER 209

SECTION 1. Membership. Appropriation:

Section 1, Chapter 98 of Public Acts of 1905, as amended by Chapter 100 of Public Acts of 1909, is amended as follows:

State board of education shall annually appoint five persons who shall be known as the Connecticut public library committee. No member of such committee shall receive compensation for services as such, but members shall be paid necessary expenses. Committee may expend not to exceed four thousand dollars (\$4,000) for the purposes set forth in section 2 of this act, for clerical assistance and necessary incidental expenses incurred in the discharge of these duties. Committee shall semi-annually render account of expenses to comptroller, who shall audit the same; and bills shall be paid on order of comptroller.

PUBLIC ACTS OF 1905, CHAPTER 98

SECTION 2. Duties of committee:

Connecticut public library committee shall give communities advice and assistance in the organization, establishment and administration of free public libraries, and aid in selection and cataloging of books and library management; may visit and inspect libraries; is authorized to purchase and arrange books, pictures, to be loaned to public libraries, schools, associations and individuals.

PUBLIC LIBRARIES

GENERAL STATUTES, 1902, CHAPTER 202.

1893 SECTION 4624. Establishment by municipalities:

Any town, borough, or city may establish a public library, to be free to its inhabitants, may expend such sum as necessary to provide rooms, or a building, for such library or for a previously established library which is free.

1893 SECTION 4625. Appropriations:

Any town, borough or city may annually expend such sum of money as may be necessary for maintenance and increase of such library; may fix by proper by-law amount which shall be annually expended for such library; treasurer shall thereby annually pay bills incurred for maintenance, not exceeding aggregate fixed by such by-law; town clerk may deposit any books in his custody.

1893 SECTION 4626. Gifts:

Any town, borough or city may receive gifts for library.

1893 SECTION 4629. Directors:

In absence of any other provision, a town or borough may elect a board of directors, which will make rules, expend money appropriated, and control library ground, buildings and rooms.

1893 SECTION 4630. Directors' election:

Directors to be elected at a town meeting, called for the purpose; to be of a number divisible by three, elected for three years; first election one-third for one year, one-third for two years, one-third for three years, thereafter for three years; shall serve without compensation.

1893 SECTIONS 4631, 4632 included the first form of law relating to The Connecticut public library committee. This was repealed, and the law is given under foregoing heading.

1893 SECTION 4633. Appropriation:

If any town having no free public library shall establish one and

provide for its custody, use, maintenance and increase in a manner satisfactory to the library committee, the committee may expend for such library for books selected by itself not to exceed the amount expended by the town and not to exceed two hundred dollars (\$200).

1893 SECTION 4634. Payment of bills:

State treasurer to pay such bills upon the order of the secretary of the state board of education.

1893 SECTION 4635. Directors:

Women eligible to serve on boards.

1895 SECTION 4636. Reports:

All libraries receiving state appropriations shall annually report to the public library committee.

1895 SECTION 4637. State appropriation:

In towns whose grand list exceeds \$600,000, committee may expend annually for books selected an amount not to exceed amount appropriated annually by town; in towns whose grand list is less than \$600,000, an amount not to exceed that received from any source and expended; in no town more than one hundred dollars annually.

1881, revised 1888 SECTION 4638. Council may establish:

City council may establish public library and reading room, levy tax not to exceed one and one-half mills, to be known as library fund.

1881, revised 1888 SECTION 4639. Directors:

Mayor to appoint nine directors; not more than one member of the city council shall be a member.

1881, revised 1888 SECTION 4640. Duties of directors:

Shall make rules, shall have exclusive control of monies, direct construction of buildings, care and custody of buildings and grounds, may purchase or lease ground, erect buildings, appoint librarian and assistants, fix compensation and remove such appointees.

1881, revised 1888 SECTION 4641. Libraries to be free:

Such library shall be forever free.

1881, revised 1888 SECTION 4642. Report:

Directors shall report annually to city council.

1881, revised 1888 SECTION 4643. Penalties:

City council may pass ordinances imposing penalties for injury to library property.

1881, revised 1888 SECTION 4644. Gifts.

Shall have title to gifts.

1881, revised 1888 SECTION 4645. Tax:

Provides for increase of tax to a rate not to exceed three mills, by vote at a public election:

1881, revised 1888 SECTION 4646. No compensation:

Directors to serve without compensation.

PURCHASE OF LAND AND MAINTENANCE

Public Acts of 1905, Chapter 41, as amended in 1915, Chapter 156:

Any town, borough, fire district or city may expend such sums of money as may be necessary to purchase land for a suitable site, for a public library situated in such town, borough, fire district or city, and may appropriate such sums of money as may be necessary to maintain such library for a term not exceeding ten years, which library may be the property of any corporation without capital stock or may be the property of such town, borough, fire district, or city, and shall be free to the inhabitants of such town, borough, fire district or city.

(Verbatim)

DELAWARE

STATE LIBRARY

REVISED STATUTES, 1915, CHAPTER 5, PAGE 17

(An act to establish a state library)

SECTION 1. State library:

The state library shall consist of books, pamphlets, etc., now in possession of the state and hereafter acquired.

SECTION 2. Librarian:

Governor shall appoint a state librarian to hold office for two years. Librarian shall give bond for two thousand dollars.

SECTION 3. Duties of librarian:

Librarian shall have general charge of state house; shall, with the consent of the judges of the court of errors and appeals, make rules and regulations for the library, and shall keep a record of books; shall require books to be returned and collect fines for overdetention.

SECTION 4. Gifts:

Shall keep a complete record of books, pamphlets, etc., received.

SECTION 5. State publications:

Librarian shall distribute public documents to states, territories and institutions prescribed.

SECTION 6. Report. Library hours:

Librarian shall report to the general assembly and shall keep the library open the hours prescribed.

SECTION 7. Removal:

Governor may remove librarian for failure to perform his duties.

SECTION 8. Expenses:

One hundred dollars allowed for current expenses.

SECTION 9. Salary:

Salary of librarian fixed at twelve hundred dollars per annum.

SECTION 10. Law books:

Appropriates five hundred dollars for purchase of law books.

SECTION 11. Supplies for General Assembly:

The librarian shall have custody of postage, stationery and supplies for the use of the members of the General Assembly.

SECTION 12. This relates to rooms and office of the librarian.

SECTION 13. Places the copies of the Duke of York's Records in the custody of the State Librarian and provides a price at which they should be sold.

SECTION 14. Authorizes the sale or exchange of books in the library.

SECTION 15. Duties of librarian:

Provides for reports of the State Librarian on property in his charge and places the sale of the publication of the Public Archives Commission in his hands.

LAWS OF DELAWARE, 1898, CHAPTER 161, PAGE 296

SECTION 1. Catalog of state library:

Authorizes the librarian to prepare a complete and comprehensive catalog of the books, pamphlets and documents of the library, of which four hundred copies shall be printed.

STATE LIBRARY COMMISSION

REVISED STATUTES, 1915

(Note: Laws of Delaware 1903, chapter 362, sections 1-17, with amendments, form the following sections 933-949 inclusive).

SECTION 933. Creation, and terms of office:

There shall be established a state library commission in the state of Delaware. Said commission shall consist of nine persons, appointed by the governor for a term of five years; provided that in the first commission three members shall be appointed for one year, three for three years and three for five years. No person shall be ineligible by reason of sex to serve on the commission.

SECTION 934. Organization:

The commission shall organize by the selection of president and other officers. State librarian shall by virtue of his office be secretary of the commission, but shall have no vote. No member shall receive any compensation. The state treasurer is authorized to pay for the proper and necessary objects of the commission, the sum of three thousand dollars, and in addition the actual and necessary expenses of the members in attending to the work of the commission and the necessary printing, postage, stationery and office expenses. (Note: The legislature usually appropriates two hundred dollars for contingent expenses.)

SECTION 935. Duties of commission:

The commission shall have general supervision over all libraries now or hereafter established, shall have power to require reports from district library commissions, shall certify to the state treasurer

when any library is entitled to state aid, and shall have all further powers necessary for the general supervision of the libraries aforesaid. The commission is further authorized to provide libraries to such extent as they shall deem advisable and their funds shall permit; to control the circulation of same and provide for the distribution of books and other reading matter, and do such other acts tending to the encouragement of reading, as they shall deem expedient; shall have power to make rules for its own government and shall report biennially to the general assembly.

FREE PUBLIC LIBRARIES

SECTION 936. Gifts:

Any single, united, consolidated or incorporated school district may receive in its corporate capacity and hold, any devise, bequest or donation for the foundation and establishment, or for the maintenance, support and increase of a free public library within same.

SECTION 937. Right to establish:

Any such school district is authorized to establish and maintain a free public library, with or without reading rooms, for the use of the inhabitants thereof, provided, either that at an election held as hereinafter provided, a majority of the qualified electors of said school district then voting shall vote in favor of such establishment, or that a sum hereinafter specified shall be donated to such district, or the payment of such sum guaranteed.

SECTION 938. Classification of districts:

For the purpose of this act, all school districts are classified according to the sums which the several boards of education or school committees are authorized by law to levy annually for current school expenses, as follows: District of the first class, levying six thousand dollars (\$6,000) or more; district of the second class not as much as six thousand dollars (\$6,000) nor less than four thousand dollars (\$4,000); district of the third class not as much as four thousand dollars (\$4,000) nor less than two thousand dollars (\$2,000); district of the fourth class not as much as two or less than one thousand dollars (\$1,000); district of the fifth class not as much as one thousand dollars (\$1,000) nor less than five hundred dollars (\$500); district of the sixth class not as much as five hundred dollars (\$500) nor less than two hundred dollars (\$200); district of the seventh class less than two hundred dollars (\$200).

SECTION 939. Petition for election:

Every board of education or school committee shall submit the question as to the establishment of a free public library to the quali-

fied electors at a special election to be held on the day next following the ensuing regular school election, not being a Sunday or legal holiday; must give thirty days' notice in advance. The number of electors who must petition as aforesaid shall be as follows: Districts of the first or second class, twenty qualified electors; districts of the third, fourth or fifth class, ten qualified electors; districts of the sixth or seventh class, five qualified electors.

SECTION 940. Method of election:

Election shall be conducted as at the regular school election. A majority of the votes cast shall decide; the election must be advertised at least ten days beforehand, may be advertised by any qualified elector in case the board of education or school committee neglect or refuse to do so.

SECTION 941. Subsequent elections:

In case a majority of the ballots be against the establishment, the question may be submitted again in the same manner on the day following the next regular school election; provided that not more than one special election for such purpose shall be called in any one district in any one year.

SECTION 942. Levy:

If at such election the voters shall declare in favor of establishing a library, the board of education or school committee is authorized, empowered and required to levy for the establishment and maintenance of such library for the year next ensuing, a sum determinable by the class in which such district belongs, namely in a district of the first class the sum required to be levied shall be not less than five hundred dollars (\$500) nor more than one thousand dollars (\$1,000); second class, not less than one hundred and fifty dollars (\$150) or more than four hundred dollars (\$400); of the third class not less than one hundred dollars (\$100) or more than three hundred dollars (\$300); of the fourth class not less than seventy-five dollars (\$75) or more than two hundred dollars (\$200); of the fifth class not less than fifty dollars (\$50) or more than one hundred and fifty dollars (\$150); of the sixth class not less than forty dollars (\$40) nor more than one hundred dollars (\$100); of the seventh class not less than twenty-five dollars (\$25) nor more than seventy-five dollars (\$75).

The board of education or school committee shall levy thereafter annually the amount prescribed and limited in this section.

Library taxes shall be levied and collected as school taxes.

Any district in which a library has been established may fix the sum not less than a minimum required for the maintenance of the library during the ensuing year by majority vote at an election.

SECTION 943. Guarantee of support:

Whenever the board of education or school committee of any school district shall have guaranteed for the support of a public library, a sum equal to the minimum amount required to be raised under section 10 of this act for each year for three years next ensuing, the board of education or school committee shall declare a public library to be established; shall proceed to name a district library commission as provided in section 12. Such guarantee may be by gift, devise, money or securities, or other valuable property, or by subscription lists, or by other plan approved by the state library commission; provided, such guarantee has the sanction of said library commission.

SECTION 944. District library commission:

Every school district having a free library established under the provisions of this act shall annually thereafter and at an election held on the day following a regular school election, elect members of a school district library commission. Number of members in district of the first or second class, nine; third or fourth class, five; fifth, sixth or seventh class, three. Members shall hold office for three years; provided, that in districts of the third and fourth classes at the first election, two members shall be elected for one year, two two years, and one for three years and in all other districts at the first election one-third of the members for one year, one-third for two years and one-third for three years.

Members of the library commission may or may not be members of the board of education or school committee and no person shall be ineligible to serve by reason of sex.

Election of members shall be by ballot and conducted as is the election of members of the board of education.

SECTION 945. Organization:

Library commission shall organize by electing from its members a chairman and other officers. The treasurer of the school district shall be treasurer. The official bond of the treasurer shall be held to include library monies. Failure to attend three meetings at the option of the commission shall be deemed a vacancy.

SECTION 946. Duties of commission:

The commission shall have entire custody and management of all library property and funds; shall make report to the district at each annual school meeting; shall report to the board of education or school committee the amount of money deemed necessary for any one year; shall report to the library commission as required; shall have power to purchase, lease or rent a room or rooms for the library, to furnish and care for the same; may with the consent of the board of

education use school rooms; shall have power to purchase or receive gifts of books or other personal property, to employ staff; and shall have such further powers as may be necessary for the establishment and maintenance of the library.

The commission shall have power to make rules, provided the use of libraries shall be free to all residents of the district and non-residents owning assessable real estate in the district. The rules and regulations shall be enforceable by a penalty. Fines collected shall be paid to the library commission.

SECTION 947. Use by non-residents:

The school district library commission may permit persons living without the corporate limits of the district to use said library upon the payment of such fee as said commission shall deem proper.

SECTION 948. Union of school districts:

Provides for the union of two or more school districts by election held on petition.

SECTION 949. State appropriation:

Provides that when the state library commission shall certify to the state treasurer that any school district has raised an amount not less than the sum prescribed in section 10, the state treasurer shall pay to that district a sum equal to the lowest sum prescribed and annually thereafter a sum equal to one-half the lowest sum prescribed. (Section 10 is now Section 942 foregoing).

HISTORY

Laws of Delaware, 1901, Chapter 136, provided, in section 1-3, for the library commission; in sections 4-15 for free public libraries to be established by towns and cities.

Laws of Delaware, 1903, Chapter 361, amended the foregoing act, making some modifications in the sections applying to the commission and making the sections in regard to free public libraries substitute "school district" for town or city, in the subsequent sections,—thus transferring the power of establishing free public libraries from towns and cities to school districts.

Laws of Delaware, 1903, Chapter 362, re-enacted all the sections thus re-enacted; with amendments of later sessions, the act is given above.

SECTION 950: This relates to the Dover Public Library and the Corbit Library in Odessa, founded previous to the passing of the act,—allowing them to benefit by the provisions under Section 949.

Laws of Delaware, 1909, Chapter 106, Section 1. * * * Second:
That a new section be added to the act aforesaid as amended
as aforesaid, after Section 17 thereof, as follows:

SECTION 951. Library bonds. (This was Section 18 in Laws of
1913, later Section 19):

That whenever the district library commission of any free public library established under this act shall deem it proper or expedient to borrow money for the purchase of a building or of a site, or for the purchase of a building owned by such district, or for the purchase of books, it shall adopt a resolution to that effect and submit it to the approval of the voters of such district at any regular annual meeting. In case of a favorable vote, the library commission shall certify the result of said election to the board of education or school committee and said board or committee shall thereupon have power to sell bonds to the amount named in said resolution. Said bonds shall bear interest not exceeding six percent. Provided that the aggregate of any sums borrowed under the provisions of this section shall not exceed the sum of ten thousand dollars (\$10,000) in a district of the first class, five thousand dollars (\$5,000) in a district of the second or third or fourth classes, nor two thousand, five hundred dollars (\$2,500) in districts of any other class. Whenever such bonds have been issued, the board of education or school committee shall annually levy an amount sufficient for the payment of the interest and to provide a sinking fund for the payment of the debt at or before maturity.

SCHOOL TRAVELING LIBRARIES

SECTION 952. Appropriation. Use. Report:

Directs the state treasurer to pay annually the sum of one hundred dollars (\$100) to the chairman of the committee on traveling libraries, or the state federation of women's clubs in Delaware.

Directs that the said sum of one hundred dollars (\$100) so paid each year as aforesaid shall be used by the said committee on traveling libraries for the exclusive purpose of purchasing books and cases to hold same, and for circulating them among the public schools throughout the state under such rules and regulations as said committee shall deem proper. The said committee shall receive no compensation whatever for their services.

The said committee shall report biennially to the general assembly. (Laws of Delaware, 1898, chapter 320, sections 1, 2, 3).

PENALTY FOR INJURING BOOKS

LAWS OF DELAWARE, 1895, CHAPTER 125

SECTION 1.

Any person having access to or being in possession of any book,

magazine, pamphlet or other property of any library or other educational institution, who shall wilfully mark, mutilate, deface or injure the same, or shall wilfully deface any label, book, book-plate, book-card or book-pocket or the library marks or numbers on the same, shall be deemed guilty of misdemeanor and shall be fined not exceeding twenty-five dollars (\$25), or imprisoned not exceeding six months, or both.

PENALTIES FOR DETAINING PROPERTY OF PUBLIC LIBRARIES

LAWS OF DELAWARE, 1911, CHAPTER 278

SECTION 1.

Whoever wilfully detains a book, newspaper, magazine, pamphlet or manuscript which belongs to a public or incorporated library, for thirty days after a notice in writing of the librarian thereof, given after the expiration of the time which, by the regulations of such library, such book, newspaper, magazine, pamphlet or manuscript may be kept, shall be guilty of misdemeanor and on conviction thereof shall be punished by a fine of not less than one nor more than twenty-five dollars (\$25) or by imprisonment for not more than thirty days.

FLORIDA
PUBLIC LIBRARIES
COMPILED LAWS, 1914

SECTION 1048 a. Establishment. Levy:

Whenever a city or town council shall deem it advisable to establish a public library and reading room free, they shall call an election, and if a majority of the registered voters shall vote in favor of establishing such public library, the council shall establish the same and may levy not more than two mills on a dollar, to be known as the library fund.

SECTION 1048 b. Board of directors:

Council, having decided to establish such library, shall elect five directors, citizens, the Mayor and members of the council not being eligible; these shall be elected for five years, one term expiring each year; shall not receive compensation; shall organize by electing officers; three constitute a quorum; they shall make the regulations for the library; shall control expenditures, buildings and grounds.

SECTION 1048 c. Fund. Payments:

All taxes and other funds to be kept in a separate fund; bills to be paid by the treasurer of city, the vouchers signed by the president, authenticated by secretary of the board.

SECTION 1048 d. Powers of board:

Library board shall have power to purchase, lease or provide buildings, appoint and remove staff, fix compensation, regulate use of library and such other powers as may be necessary to carry out the intent of the act.

SECTION 1048 e. Library free:

Library to be forever free, subject to reasonable regulations.

SECTION 1048 f. Report:

Library board to report annually to city council.

SECTION 1048 g. Rules:

Rules of the library board may be amended by the council.

SECTION 1048 h. Penalties:

Provides penalties for violation of the rules.

SECTION 1048 i. Donations:

Donations to library shall vest in the library board or their successors, and they shall thereafter become owners thereof in trust to the use of the public library.

SECTION 1048 j. Exemption:

Library property exempt from execution and taxation.

SECTION 1048 k. Library on deposit.

May receive and provide for circulating library on deposit.

SECTION 431. Exemption:

The following property shall be exempt from taxation: * * *

Fifth, all public libraries, real and personal property belonging to and connected with the same, consisting of the library itself and all real and personal property held for the actual use and occupation of such library, and not for rent, profit or speculation.

GEORGIA

STATE LIBRARIAN

GEORGIA CODE, 1910

SECTION 172. State librarian:

State librarian shall be nominated by the governor, confirmed by the senate, for a term of four years.

SECTIONS 173 and 174 provide for salaries of librarian and assistants.

SECTION 175. Bond:

Librarian must give bond for two thousand dollars (\$2,000).

SECTION 176. Library rooms:

The library shall be kept in appropriate apartments in the capitol building, designated by the governor, under rules and regulations prescribed by him.

SECTION 177. Duties of librarian:

Librarian shall preserve, keep in order, and protect, the library; keep it open for the inspection of citizens of the state; perform other duties as required.

SECTION 178. Distribution of books:

Librarian shall distribute public documents under the direction of the governor.

SECTION 179. Duties of librarian:

Must receive public documents and receipt for them and take receipts on their distribution.

SECTION 180. Catalogue:

Librarian shall prepare and make available a catalogue.

SECTION 181. Reports:

Reports of various departments to be filed with the librarian.

SECTIONS 182-187. Reports:

Relate to the printing and distributing of state reports, in connection with the state library.

SECTION 188. Governor's supervision:

The librarian is under general supervision of the governor.

SECTION 189. Responsibility:

If the librarian resign or be removed, he must within ten days deliver all property of the library to his successor. If there is a deficiency, the governor shall bring suit on his bond.

LEGISLATIVE REFERENCE BUREAU

Acts and Resolutions General Assembly, 1914, page 137, Act No. 397.

An act to establish a legislative reference department in connection with state library and provide for its maintenance.

SECTION 1. Establishment:

There shall be established in connection with the State Library, under the direction of the librarian, a legislative reference department. Its object shall be to gather and make available information to aid the members of the legislature and the state departments, and to serve other citizens. This department shall collect, arrange, classify and index, books, pamphlets and other materials relating to legislation; shall prepare abstracts of laws of other states and countries; and shall make indexes of the legislative and administrative records of this state.

SECTION 2. Legislative librarian:

State librarian is authorized to designate second assistant librarian as legislative reference librarian.

SECTION 3. Expense:

Authorizes one thousand dollars (\$1,000) annually for the expenses of the department, in addition to salary of librarian.

SECTION 4. Appropriation:

Makes appropriation for 1914-15.

SECTION 5. Repeals:

Repeals inconsistent laws.

STATE LIBRARY COMMISSION

GEORGIA CODE, 1910

SECTION 1563. State library commissioners:

The governor shall appoint five persons who shall constitute a state library commission; and no person shall be eligible to appointment on said commission who is interested in any publication house or the sale of any book or books, or agent for the same. The members of said commission shall be appointed for a term of three years, and shall annually elect a chairman and secretary. (Verbatim)

SECTION 1564. Duties, and reports of commissioners:

The commission shall give advice and counsel to all libraries in the state, and to all communities which may propose to establish them, as to the best means of establishing and administering such libraries, the selection of books, cataloging and other details of library management. The commission may also send its members to aid in

organizing new libraries or improving those already established. The commission shall make biennial reports to the governor.
(Verbatim)

SECTION 1565. No compensation for service:

No member of this commission, nor the secretary, shall receive any compensation for services or traveling expenses as a member of this commission, nor shall the state pay any expenses whatever that may be incurred in any way by this commission.

PUBLIC LIBRARIES

SECTION 1566. Public libraries in cities:

Any city in the state may through its properly constituted municipal officers raise by taxation from year to year, and permanently appropriate, monies for the purpose of establishing or erecting or maintaining a public library, or assisting in maintaining a public library. Any such sum or sums so appropriated shall be expended by and under the direction of the board of trustees of such public library elected by the city council of said city.

SECTION 1567. Disbursements:

In any city in which an appropriation is made by virtue of section 1566, all money so expended shall be paid under warrant of board of trustees elected by the city council; and an itemized statement shall be made annually to the mayor.

SECTION 1568. Donations:

Said board of trustees are authorized to accept and receive donations either in money, land or other property, for the purpose of erecting or assisting in the erection of, suitable buildings for the use of said public library, for maintaining the same or for assisting in maintaining the same.

SECTION 1569. Duties of trustees:

Said board of trustees shall rigidly supervise said public library property; pass necessary rules and regulations; elect and designate a staff and may remove the same.

SECTION 1570. Agreements in regard to donations:

The municipal government of any city shall have authority to enter into a legal and binding agreement to accept and receive any donation offered by any person or persons on such terms as may be agreed on between said person or persons and said municipal government, and such agreement so made shall be legal and binding upon said municipal government and its successors; and all agreements by said municipal government of said city to pay any

sum or sums of money annually thereafter for the use of said public library shall be legal and binding on the said city; any ordinance or ordinances carrying said agreement into effect shall have the force and effect of law and be binding on said city during the time mentioned in said agreement and said ordinance.

LITERARY AND OTHER SIMILAR CORPORATIONS

SECTION 2836. Incorporation:

Library and other literary, charitable or social organizations which have no capital stock and are not organized for gain may be incorporated under the provisions of this code.

SECTION 2837. Situs:

Such corporations shall be held to have legal residence in the county granting the order of incorporation.

SECTION 2838. Change of situs:

Legal residence may be changed, by the order of the Superior Court.

SECTION 2839. Validity of contract, etc.:

All contracts made with said corporations shall be legal and valid, and may be enforced as if with an individual.

SECTION 2840. Charitable trusts:

Said corporations now created or hereafter created pursuant to the provisions of this article are authorized to act in their corporate capacity as trustee to administer or carry into effect any charitable trust heretofore or hereafter created by deed or by will which is consistent with the objects of the corporate existence.

EXEMPTION FROM TAXATION

The Code, Section 998, exempts from taxation the following described property; viz., all real and personal estate of any public library, and that of any other literary association used by or connected with such library.

Note: The foregoing is based on the constitution of Georgia as follows:

Code 6554, part 2: The general assembly may by law exempt from taxation all public libraries * * * the real and personal estate of any public library or that of any other literary society used by or connected with such library * * *

HAWAII
PUBLIC LIBRARIES

LAWS OF THE TERRITORY OF HAWAII, 1907, PAGE 105

Act 81: Act to establish a Hawaiian Library and provide for its care and management.

SECTION 1. Trustees:

Provides board of trustees of three members, residents of the territory of Hawaii, to serve for three years, one term expiring each year.

SECTION 2. No compensation:

To serve without pay, all expenses paid.

SECTION 3. Trustees' duties:

To care for and control all library property of the territory for use of a free library; to acquire, arrange, classify and catalog books; to expend monies appropriated by the legislature; to provide means for placing library within reach of all residents of the territory, particularly school children; to make regulations; to have all power necessary for foregoing duties.

SECTION 4. Power of trustees:

Shall have power to make agreements, but not empowered to obligate the territory financially in any sum not appropriated by the legislature for the use of the library.

SECTION 5. Reports:

Trustees shall report annually to the governor.

EXEMPTION FROM TAXATION

LAWS OF THE TERRITORY OF HAWAII, 1913, ACT 146

SECTION 1. Exemption from taxation:

Provides among other things that all property both real and personal of public library associations shall be exempt from taxation.

IDAHO

STATE LIBRARY COMMISSION

LAWS, 1911, CHAPTER 159

SECTION 174. Members:

Attorney general, secretary of state, state superintendent of public instruction, president of the State University, exofficio, constitute state library commission. Attorney general, chairman; state superintendent, secretary.

SECTION 175. Traveling libraries:

Said commission shall have management of traveling libraries, shall make rules governing their use, shall cause said traveling books to be distributed throughout the state, shall have power to employ a librarian, and define his duties, shall co-operate with the management of public schools, and other free libraries and adopt means to promote their establishment, may receive donations for benefit of traveling libraries, title to which shall vest in state, shall report annually to the governor.

SECTION 176. Duties of commission. Report:

Secretary of commission shall keep report of proceedings and amount of expenses, chairman of commission may issue certificates countersigned by secretary for claims against commission, which claims approved by the board of examiners, shall be paid by warrants, drawn upon the fund of the state treasury provided for such purpose.

LAWS, 1913, CHAPTER 77

SECTION 1. State Board of Education created:

Be it enacted "That for the supervision, government and control of all state educational institutions of this state, to-wit: the University of Idaho, . . . , and for the general supervision, government and control of any other such state educational institutions, as may now or hereafter be founded, and further, for the general supervision, government and control of the public schools of the state, a state board of education, which shall also constitute the board of regents of the University of Idaho, is hereby created and established, to be known as the State Board of Education and Board of Regents of the University of Idaho."

SECTION 2. Appointment of members by the Governor.

SECTION 7. Enumerates certain special duties of State Board of Education, among them the control of the state library commission (paragraph 6).

Acting through its own executive officers the state board of education and the board of regents of the University of Idaho shall, . . . supervise, govern and direct the state library commission and adopt such regulations for its administration as may contribute to its efficiency in the service of the people and in promoting the educational welfare of the state. (Paragraph 6 verbatim)

SECTION 9. All acts and parts of acts in conflict with the provisions of this act are hereby repealed. (Verbatim)

PUBLIC LIBRARIES

LAWS, 1911, CHAPTER 159

SECTION 177. Establishment. Maintenance:

Common council in every city or village shall have power to establish public library and reading rooms for such purpose, to levy annually a tax, not exceeding one mill on the dollar, to form library fund separate and apart to be used exclusively for purchase of books and for whatever is required for the maintenance of such library and reading rooms.

SECTION 178. School district library:

Gives trustees of school district in which is situated no incorporated town or village, on petition of twenty electors the right to hold an election upon the establishment of a library, and prescribes the manner. Having a majority vote in favor of establishing a library the trustees have authority to levy annually a tax not exceeding one mill on the dollar for the establishment of such library. Boards of school trustees acting under the provisions of this section, perform the same duties and have same authority granted to common council by provisions of this chapter under like conditions.

SECTION 179. Directors of city or village library:

Council of city or village shall appoint five directors, citizens, not more than one being a member of the council. At the first appointment, two directors shall be appointed for one year, two for two years and one for three years, thereafter the appointments being for three years except those to complete unexpired terms.

SECTION 180. Organization. Duties. Powers:

Directors shall organize by the election of a president and such other officers as they deem necessary, shall make rules for their own guidance and for the government of the library, shall have exclusive control of all monies and the custody of all property, vouchers authenticated by the directors shall be paid from the treasury, may with the approval of the council, lease or buy land and erect build-

ings, provided that not more than one-half of their income be used in this way, may appoint librarian and assistants.

SECTION 181. Libraries free:

Libraries and reading rooms so established shall be forever free for the use of all inhabitants of the district, using them subject to reasonable rules prescribed by the board.

SECTION 182. Reports:

Directors shall make an annual itemized report to the State library commission as to funds, purchases and the condition of the library and the work of the year.

SECTION 183. Donations:

Donors shall have the right to vest title to gifts in the board of directors and the directors shall be held special trustees of such property.

SECTION 184. Existing libraries:

Council may levy a tax for the support of any library belonging to a library association already existing, provided it becomes a free public library without change in the organization of the library association. A sum so raised shall be paid to the officer duly authorized to receive same and be under the control of the library association, provided that, if at any time the library association ceases to exist or fails to provide a free circulating library, the property accumulated under the provision of this law reverts to the city or village.

Note: The foregoing re-enacted in 1911, the provisions of the code, published in 1908, without any important change.

ILLINOIS

STATE LIBRARY

REVISED STATUTES, 1845, PAGE 340

SECTION 2. Establishment:

The books now belonging to the state and such as shall be hereafter purchased or received by the state, except the law books now in the custody of the clerk of the supreme court, shall be kept in the office of the secretary of state, shall compose the state library.

HURD'S REVISED STATUTES, 1913, CHAPTER 128

SECTION 1. Commissioners:

Governor, secretary of state and superintendent of public instruction shall constitute board of commissioners for the management of the state library, of which board the governor shall be president.

SECTION 2. Powers of commissioners:

Said commissioners shall have power to make and carry into effect all such rules and regulations for the care, arrangement and use of the books, maps, charts, papers and furniture of the state library as they may deem proper.

SECTION 3. Librarian:

The secretary of state shall be librarian, and shall have custody and charge of all books, maps, charts, papers and other things belonging to the state library, or directed to be deposited therein.

SECTION 4. Catalogue. Report:

Librarian shall prepare complete alphabetical catalogue of the library, number the books therein, and report same to the commissioners, who shall cause the same to be published for the use of the library.

SECTION 5. Books labeled:

Librarian shall have all books labeled and numbered.

SECTION 6. Who entitled to use library:

Books may be drawn by General Assembly during legislative sessions; at any time by governor and officers of the executive department of the state, and the justices of the supreme court. No person may draw book without executing receipt therefor, nor retain more than two volumes of miscellaneous works at any one time.

SECTION 7. Registry of books taken and returned:

Librarian must keep registry of books taken and returned. All books must be returned at close of legislative session.

SECTION 8. Failure to return books. Deduction from pay:

Any person failing to return a book within time prescribed, or who injures the same, shall forfeit and pay to the librarian, for the benefit of the library, three times the value of such book, or of the set to which it belongs; and before the auditor shall issue his warrant in favor of any member or officer of the General Assembly for his services during the session, he shall be satisfied that such member or officer has returned all books taken out of the library by him, and has settled all accounts for injuring such books or otherwise.

SECTION 9. Fines. Evidence:

All fines and forfeitures accruing under and by virtue of this act, or for the violation of any of the rules adopted by the library commissioners, shall be recoverable by action of debt before any justice of the peace or court having jurisdiction of the same, and all such fines and forfeitures recovered shall be expended for the library.

ILLINOIS LIBRARY EXTENSION COMMISSION

SECTION 10. Term of office. No compensation. Traveling expenses:

That the commissioners of the state library be and they are hereby authorized and empowered to appoint two persons who, together with the State Librarian, shall constitute a board to be known as the "Illinois Library Extension Commission" of which the State Librarian shall be ex-officio chairman.

The length of the term of office of the appointive members of such commission shall be for two years and until their successors are appointed and qualified, the first term beginning on the first day of July, 1909; but of the two appointed in the first instance one shall be appointed for one year, and one for two years, and thereafter one member shall be appointed each year. No member of such commission shall be compensated for his services, but the traveling expenses of members in attending meetings of the commission or establishing libraries, and other incidental and necessary expenses connected with the work of the commission shall be paid.

(Verbatim)

SECTION 11. Duty of commission. Appoint library organizer. Duties of organizer:

The Library Extension Commission shall give advice and information to the librarian or trustees of any existing public library, or to any person or community interested in starting a new public library, concerning the organization, maintenance, or administration of said library and it shall appoint a library organizer, one of whose duties shall be to furnish such advice and information. Such library organizer shall keep informed of the condition, scope and methods of work of the various public libraries of the State, visit-

ing the same as occasion may require, shall assist as far as practicable in promoting and starting new libraries, and at the end of each fiscal year shall make a report of the general library conditions in the State to the Library Extension Commission. (Verbatim)

TRAVELING LIBRARIES

SECTION 12. Under control of library extension commission:

The commission shall operate traveling libraries specially given or bought for such purpose, and loan such libraries to any library in the State, or to any community or organization not yet having an established library, under such conditions and regulations as it shall prescribe. And said commission shall, from time to time, so send out and distribute such books throughout the State, and at suitable intervals change such distributions, in such a manner as to secure to the greatest practical degree the use and enjoyment of such books to the people of the entire State. The commission may also conduct a clearing house for periodicals for free gift to local libraries, and perform such other public service as may seem to it for the best interests of the State. Said Library Extension Commission shall receive the advice and counsel of the State Library Commission, and shall be under its control. (Verbatim)

JOINT LEGISLATIVE REFERENCE BUREAU

HURD'S REVISED STATUTES, 1913, CHAPTER 63

SECTION 32. That there be and is hereby established a joint legislative reference bureau composed of the Governor, the chairman of the committees on appropriations of the Senate and of the House, the chairmen of the committees on judiciary of the Senate and of the House. The Governor shall be ex-officio chairman of said reference bureau. (Verbatim)

SECTION 33. Terms of office:

The Governor shall serve as a member of said reference bureau during the term of office for which he shall have been elected, and those members serving on said reference bureau by virtue of being chairmen of committees of either House shall serve until the convening of the next General Assembly after their appointment.

SECTION 34. Meeting. No compensation. Expenses:

The said reference bureau shall meet during the regular and special sessions of the General Assembly and during the intervals between the regular sessions, and at such times and places as it may determine. The members of the bureau shall receive no compensation for their services as members thereof, but shall be allowed their actual and necessary expenses incurred in the performance of

their official duties out of any money appropriated for the use of the said reference bureau.

SECTION 35. Secretary and Employees. Salary:

The said reference bureau shall appoint a secretary, who shall devote his entire time to the duties of his office and shall follow no other gainful profession, occupation or employment. The reference bureau shall also appoint such other officers, agents and employes as may be necessary to carry out the provisions of this act, and shall fix the compensation of each of its appointees: **Provides**, the salary of the secretary be fixed at a sum not to exceed five thousand dollars (\$5,000) per annum.

SECTION 36. Duties of bureau:

It shall be the duty of said reference bureau:

(a) To establish in the State Capitol a reference bureau, which shall be open daily, excepting Sundays and legal holidays, in which shall be collected and kept, in such manner as may make the same readily accessible, such laws, reports, books, periodicals, documents, catalogues, check-lists, digests, summaries of the laws of other states upon current legislation, and such other printed or written matter as may aid the members of the General Assembly in the performance of their official duties.

(b) The reference bureau shall collect, catalogue, classify, index, completely digest, topically index, check, list and summarize all bills, memorials, resolutions and orders, as well as substitutes and amendments and changes, if any, introduced in each branch of the General Assembly * * * , furnish copies of the digest * * * to each member of the General Assembly on Monday of each week during the session of the General Assembly.

(c) The said reference bureau shall afford to any member of the General Assembly, upon his request, such legal assistance and information as may be practicable in the preparation of bills, memorials, resolutions * * * .

(d) To cause to be prepared, printed and distributed for the use of the members of the General Assembly, a detailed budget of the appropriations which the officers of the several departments of the State Government report to it are required for their several departments for the biennium for which appropriations are to be made by the next General Assembly, together with a comparative statement of the sums appropriated by the preceding General Assembly for the same purposes.

SECTION 37. Duplicate reports of appropriations required for state departments.

SECTION 38. Office. Supplies. Secretary of State shall provide

said bureau with suitable offices in State Capitol, also provide necessary furniture, stationery and supplies.

SECTION 39. Co-operation of state library:

The board of commissioners for the management of the State Library shall co-operate with the said reference bureau and shall make the facilities of said library accessible, so far as practicable, for the use of said reference bureau, and are hereby authorized to loan to said reference bureau any books, periodicals, documents, reports or other printed or written matter belonging to said library.

SECTION 40. Expenses how paid:

All proper expenses incurred by said reference bureau shall be paid out of the appropriations made for its use upon itemized vouchers, drawn by the secretary and approved by the Governor.

STATE HISTORICAL LIBRARY AND NATURAL HISTORY MUSEUM

HURD'S REVISED STATUTES, 1913, CHAPTER 127 D.

SECTION 1. Establishment:

There is hereby established at the capital of the state a state historical library and cabinet of natural history to be known as "The Illinois State Historical Library and Natural History Museum." (Original act was passed 1877).

SECTION 2. Rooms:

Rooms in state house set apart for the state library and museum.

SECTION 3. Management. Trustees:

Library and museum to be under the management of three trustees, consisting of the governor, secretary of state and superintendent of public instruction, who shall have power to make such rules and regulations as necessary for its management.

SECTION 4. Curator. Salary:

Said trustees to appoint a curator, a person of competent scientific attainments and who shall possess a practical knowledge of the science of geology. Curator's salary to be three thousand dollars per annum.

SECTION 5. Curator to act as librarian:

Curator shall act as librarian and have custody, superintendence and charge of all articles directed to be deposited in said library and museum, and also perform the acts which are or may be required by law of the state geologist.

SECTIONS 6-11 relate to the museum.

STATE HISTORICAL SOCIETY

SECTION 12. "Illinois State Historical Library" established at capital of the state. (Original act was passed 1889).

SECTION 13. Room in state house set apart for library.

SECTION 14. Trustees. Appointment. Terms. No compensation: Three trustees well versed in the history of the state, qualified by habit and disposition to discharge the duties of their office, to be appointed by the governor, with consent of the senate. Term two years and until their successors have been appointed and commissioned. To receive no compensation, except actual expenses while in discharge of their official duties, to be paid upon itemized accounts approved by the governor.

SECTION 15. Powers of trustees:

Shall have power and are required to make all necessary rules and by-laws to carry into effect the purposes of this act, and to procure from time to time, as may be possible and practicable, at reasonable cost, all books, pamphlets * * * and other material of historical interest and useful to the historian bearing upon the political, physical, religious or social history of the state of Illinois from the earliest known period of time. They shall also have power to select a librarian, whose salary shall be two thousand dollars (\$2,000) per annum.

SECTION 16. Makes appropriation of \$2,500.

SECTION 16 a. Illinois State Historical Society:

The Illinois State Historical Society, already existing, is declared a department of the Illinois State Historical Library, and the trustees of said library are authorized to pay for the necessary stationery, postage and other incidental expenses of the said society, out of any fund appropriated to said library by the legislature for such purposes; and also to pay the expense of interviewing old settlers of Illinois, examining county, church, school and the like records, at the discretion of the trustees of said library, and the auditing of the accounts which shall be subject to the approval of the governor. And provided, further, that all such material shall be the property of the said Illinois State Historical Library and shall be deposited among its archives for reference and safe-keeping.

SECTIONS 17-19. Records, etc., to be deposited:

Permit counties, towns, cities, villages, to transfer to the said society, state library, or to the state university library at Urbana, records and papers of historical interest, and to make reasonable appropriations for the purpose of carrying this act into effect.

FREE PUBLIC LIBRARIES
REVISED STATUTES OF 1913, CHAPTER 81
(Includes the original acts of 1913)

SECTION 1:

Council of each incorporated city shall have power to establish a public library and reading room and to levy a tax not to exceed two mills on a dollar annually, provided that in cities of over one hundred thousand inhabitants after 1896, such tax shall not exceed one mill on the dollar annually, provided that said annual library tax in cities of over fifteen hundred inhabitants shall not be included in the amount of taxes as limited by section 1, article 8 for the incorporation of cities and villages, approved April 10, 1872, or any provision of any special charter. (As amended 1915).

SECTION 2: Directors:

When any city council has decided to establish a library the mayor shall, with the approval of the council appoint a board of nine citizens as directors, not more than one member of the council shall at any time be a member of the board.

SECTION 3. Term of office:

The first appointment shall be one-third for one year, one-third for two years and one-third for three years and thereafter all appointments for three years. Mayor may with consent of council remove any director for misconduct or neglect.

SECTION 4. Vacancies. No compensation:

Vacancies by removal, etc., shall be filled in like manner as original appointments. No director shall receive compensation as such.

SECTION 5. Organization. Powers and Duties:

Directors shall organize by election of officers, shall adopt rules for board and for library, and shall have exclusive control of expenditures, construction of any library building, supervision of rooms or buildings leased or built for library.

It shall be the duty of the directors of such public library, annually and at least three weeks prior to the passage of the annual tax levy ordinance by any such city, incorporated town or township, to make written recommendation to the officers of such city, incorporated town or township as to the financial requirements of any such public library and the rate of tax which, in the judgment of said directors, it will be necessary to levy for library purposes: Provided, that all moneys received for such library shall be deposited in the treasury of said city to the credit of the library fund, and shall be kept separate and apart from other moneys of such city, and drawn upon by the proper officers of said library, upon the properly auth-

enticated vouchers of the library board. Said board shall have power to purchase or lease grounds to occupy, lease, or erect an appropriate building or buildings for the use of said library, shall have power to appoint a suitable librarian and necessary assistants, and fix their compensation, and shall also have power to remove such appointees, and shall, in general, carry out the spirit and intent of this act, in establishing and maintaining a public library and reading room. (As amended 1915).

SECTION 6. Library free:

Library shall be forever free to inhabitants of the city, subject to the rules of the board.

SECTION 7. Report:

Directors shall report annually in June to the city council.

SECTION 8. Penalties:

Council shall have power to pass ordinances imposing penalties for injury to library property and for failure to return library books.

SECTION 9. Gifts:

Donors shall have the right to vest for the benefit of the library, gifts in the board of directors, who shall be held special trustees.

SECTION 10. Vote on establishment:

Provides that on the petition of fifty electors in any incorporated town, village or township, an election shall be held on the question of establishing a library and levying a tax not to exceed two mills on the dollar, provides that such tax may cease when so voted by the electors at any general or special election.

SECTION 11. Directors:

Provides that after any incorporated town, village or township has voted, as provided in section 10, for the establishment of a library at the next regular election or at a special election, a library board of six directors shall be elected; at the first election, one-third for one year, one-third for two years and one-third for three years, thereafter for three years.

SECTION 12. Chicago library:

An emergency measure to provide for the housing of the Chicago library after the fire.

SECTION 13. Bonds for building:

Provides for the issue of bonds for the erection of library buildings.

SECTION 14. Building:

Provides for the erection of the library building and also for the investment of funds in case of delay.

SECTION 15. Contract:

Provides manner of letting the contract.

SECTION 16. Right to rent and mortgage:

Gives the right to erect a building, a portion of which may be rented, to borrow money and to issue and execute a mortgage.

SECTION 17. Library associations:

Provides a method by which directors of library associations may sell their property to public libraries.

SECTION 18. Same:

Provides manner of making the conveyance.

SECTION 19. Chicago Library:

With its preamble, provides for the erection of the Chicago Public Library on Dearborn Park.

SECTION 20. Same:

Provides for the sale by Soldiers' Home in Chicago to the Public Library of some land in Dearborn Park.

SECTION 21. Trustees may incorporate to administer bequests or gifts:

In case of bequests for the establishment of a library, it shall be lawful for the trustees of the bequest to form a corporation for that purpose.

SECTION 22. Organization. Purposes:

The trustees of the bequest shall file at the office of the secretary of state, a statement of their intent to form such a corporation, a copy of the will by which the library is endowed, the name proposed, the city, village or town in which it is to be located, the number and names of the trustees forming the corporation.

SECTION 23. Same:

Upon the filing of such a statement the secretary of state shall issue to the incorporators a certificate which the incorporators shall cause to be recorded in the office of the Recorder of Deeds of the County, and thereupon the corporation shall be deemed organized and proceed to carry out its corporate purposes.

SECTION 24. Same:

Organizations under this act shall be bodies corporate and politic, shall have the ordinary rights and incidents of corporations, shall be capable of holding and disposing of real and personal estate, the provision of the will or deed of endowment shall be part of the law of such corporation, such trustees shall be not less than seven,

nor more than fifteen, shall elect officers from their number, shall control all property of corporation, may accept donations, may fill by election subject to the approval of the Chief Justice of Illinois, vacancies occurring in their own number, shall make by-laws for the management of the corporation, may employ such assistants as they deem necessary. Whenever by the provision of such will the institution endowed is declared free and public the property of such corporation shall be exempt from taxation. Such corporation shall annually report to the Governor of the state.

SECTION 25. John Crerar Library:

With its preamble, 26, 27, 28 and 29 relate to the John Crerar Library.

SECTION 30 to 33. Libraries in Parks:

Relate to securing library property in public parks.

SECTION 34 to 42 inclusive. Bonds for building:

Give public libraries the right to borrow money by the issue of bonds for the purpose of erecting library buildings.

SECTION 43 to 57 inclusive. Pension fund:

Provide for the establishment of a public library employee pension fund.

CHICAGO PUBLIC LIBRARY

LAWS, 1915, PAGE 275, HOUSE BILL No. 162

An act to consolidate in the government of the city of Chicago the powers and functions now vested in local governments and authorities within the territory of said city and to make provisions concerning the same.

SECTION 1. Management of public library:

The city council shall have full power to manage, control, maintain, operate and extend or enlarge the public library of the city of Chicago; to acquire, by dedication, gift, lease, contract, purchase, or condemnation, property and rights necessary or proper for library purposes; to make appropriations and tax levies and issue bonds for such purposes; and to exercise any and all powers and rights not inconsistent with the provisions of this Act, now vested in the board of directors of said library under the laws of the State relating to such libraries.

SECTION 2. Appropriations and bond issues:

All appropriations and bond issues for the use of such library shall be made by the city council, in accordance with the general provisions of this Act. All warrants upon which any portion of said

funds is to be paid out shall bear the signature of such official or officials as may be designated by the city council.

SECTION 3. Who may use library:

Such library shall be forever free to the use of the inhabitants of the city of Chicago, subject to such reasonable rules and regulations as the city council may adopt in order to render the use of said library of the greatest benefit to the greatest number, and the official or officials charged with the government and control of such library may exclude from the use of such library any and all persons who shall wilfully violate such rules and regulations. The city council may extend the privileges and use of such library to persons residing outside of such city in this State upon such terms and conditions as it may from time to time, by ordinance, provide.

SECTION 4. Ordinances imposing penalties:

The city council shall have power to pass ordinances imposing suitable penalties for the punishment of persons committing injury to such library or the ground or other property thereof and for injury to, or failure to return, any book belonging to such library. Such ordinances shall be published in the newspaper selected as the official journal of the city and may be printed in book or pamphlet form, in such manner as the city council shall direct, and all rules framed in conformity with such ordinances shall be brought to the notice of the public by being posted in conspicuous places in such library and all branches or extensions thereof.

SECTION 5. Donations:

Any person desiring to make donations of money or other property for the benefit of such library shall have the right to vest the title to the money or other property so donated in the city of Chicago, in trust for the use of such library, to be held and controlled by said city, when accepted, according to the terms of the gift, devise or bequest of such property, and as to such property the said city shall be held and considered to be a special trustee.

SECTION 6. Pension fund:

Nothing herein contained shall in any way affect the operation or administration of an Act entitled, "An act to provide for the formation and disbursement of a public library employees' pension fund in cities having a population exceeding 100,000 inhabitants" approved May 12, 1905, as amended by Act of June 3, 1907: Provided, however, that the board of trustees of the said pension fund of said public library created by said Act shall hereafter consist of five (5) members, two of whom shall be employees contributing to said fund and three of whom shall be appointed in such manner as the city council may, by ordinance, direct.

NEWBERRY PUBLIC LIBRARY IN CHICAGO

HURD'S REVISED STATUTES, 1913, CHAPTER 105, PARKS

SECTION 75. Lincoln Park and the Newberry Public Library:

The commissioners of Lincoln Park shall have authority to allow proper and suitable buildings to be erected in said park at a place to be selected by them for the use of such library, and under such regulations as to the control thereof as they may determine, consistent with the provisions of the will of the late Walter L. Newberry.

INDIANA

STATE LIBRARY

BURN'S ANNOTATED INDIANA STATUTES, 1914, VOL. 4

SECTION 9289. State library board:

Management and control of the state library shall be vested in the state board of education, which shall constitute for library purposes a state library board.

SECTION 9290. Librarian:

State library board shall elect a state librarian, who shall serve until his successor is elected by the said board. (That is, two years; see next section).

SECTION 9291. Term. Assistants, etc.

Term of office of state librarian shall be two years. He shall appoint assistants, with the approval of the board; shall give bond.

SECTION 9291 a. Departments:

State library shall be organized into the following departments: office, reference, catalog, Indiana history and archives. The librarian shall appoint a chief of each department, and all necessary assistants, and fix compensation, with approval of board. Any chief or assistant may be removed by the state library board for cause.

SECTION 9291 b. Duties:

Duties of office, reference and cataloging departments shall be as defined by law or the rules of the board. Department of history and archives shall have care of official archives, of collections of historical material, diffusion of knowledge, encouragement of historical work; examination and classification of documents and records; co-operation with any institutions of the state.

SECTION 9291 c. State documents, etc.:

Any state or other official is authorized to turn over to the state library any books, reports, documents, papers, etc., not in current use.

SECTION 9292. Fixes library hours.

SECTION 9293 9295. State documents, etc.:

Relate to state journals, papers and publications, their keeping and exchange.

SECTION 9296. Defines responsibility of librarian.

SECTION 9297. Provides for loaning books of the library.

SECTION 9298. Rules and regulations.

SECTION 9299. Fixes salaries of librarian and of assistants.

SECTION 9300. Report:

Librarian shall report at each session of the legislature.

SECTION 9301. Removals:

State board shall have power to remove state librarian or any assistant for cause.

SECTION 9302. Penalties:

Provides penalties for violation of this law.

SECTION 9303. Repeals all previous laws relative to the state library.

SECTIONS 9304-9307. State publications:

Provide for the care and exchange of state publications and legislative papers.

SECTION 9308. Embezzlement:

Provides for punishment of the librarian if he shall embezzle.

SECTION 9309. Missing books:

Requires annual report from the librarian, on missing books.

SECTIONS 9310-9312. See Legislature Reference Bureau, following this.

SECTION 9313. Report:

Librarian shall report at each session of the legislature.

SECTION 9314. Removal:

State library board shall have power to remove the librarian.

SECTIONS 9315-9316. Penalties:

Provides penalties for mutilation of and injury of books.

LEGISLATIVE REFERENCE BUREAU

BURN'S ANNOTATED INDIANA STATUTES, 1914 VOL. 4

SECTION 9310. Organization:

There shall be created a legislative and administrative reference bureau, which shall be under the control of the board,—consisting of the governor, state librarian, president of Indiana university, president of Purdue university, and one additional member appointed by the governor for a term of four years.

SECTION 9311. Director:

The board shall appoint a director of the bureau, who shall have a

thorough training and experience in the principles of government and political science, constitutional and administrative law, and in the drafting of statute law. The salary and term of office of the director shall be fixed by the board. The director and any assistant may be removed for cause by the board.

SECTION 9312. Assistants. Duties:

Director shall, with the approval of the board, appoint such assistants, investigators and draftsmen as may be necessary, and fix their compensation. The bureau shall gather material bearing on legislation and administration, for the use of the legislature and state officers, boards, commissions and institutions. It shall be the duty of the bureau to arrange and index all material so as to be most readily used. It shall obtain and furnish to members of the general assembly, officers, boards or commissions, any data available regarding the laws of this and other states and the workings and administration of laws, together with references to judicial decisions and interpretation upon such laws. It shall be prepared to furnish to members of the general assembly, and under their instruction, such assistance as may be demanded in the preparation and drafting of legislative bills. The bureau is authorized to collect material on municipal laws and administration and to furnish to the officials of any municipality upon request any data, and to loan any material which may be available. The bureau may co-operate with any state educational institution in any manner approved by the board. The bureau may make digests of laws, reports and other material relating to legislation and administration, and with the approval of the bureau this same shall be published by the commissioners of the bureau of public printing, binding and stationery. The clerk of the bureau of public printing, binding and stationery shall cause to be delivered to the bureau three copies of each report, pamphlet, compilation of laws or other document published at state expense. All legislative papers, records, petitions, charts of house and senate seats, and other documents, shall be turned over to the bureau, and shall, when no longer in current use, be turned over to the state library for preservation. (Verbatim).

SECTION 9312 a. Rooms:

Provides for the housing of the bureau in proximity to the state library.

SECTION 9312 b. Appropriation:

Appropriates thirteen thousand, five hundred dollars (\$13,500) for the expenses of the bureau, and apparently some additional sums for the two years beginning September 30, 1913.

PUBLIC LIBRARY COMMISSION

BURNS' ANNOTATED INDIANA STATUTES, 1914, VOL. 3

SECTION 6654. Organization:

There is hereby created a public library commission composed of three members appointed by the governor, who shall serve without compensation, except as herein provided, each for the term of four years; except that at the first appointment one shall serve for two years and one for one year. The state librarian shall be ex-officio secretary.

SECTION 6655. Traveling libraries:

Said commission shall have permanent offices in the state house, with storage and shipping room; shall have control and management of traveling libraries; shall purchase books and equipment; shall adopt rules and regulations; shall require security; shall prepare book-lists; shall furnish lists; shall provide library instruction, and perform such other service in behalf of public libraries as it may consider in the best interests of the state. Said commission shall employ a secretary, and other assistants as necessary; shall report to the governor on October 1, 1906. Report shall be printed. (Acts of 1899 as amended 1905).

(Note: The provision for a secretary in this section abrogated the provision for a secretary in section 6654).

SECTION 6656. Appropriation:

Appropriates seven thousand dollars (\$7,000.00) for the expense of the commission. (Appropriation \$12,500, as amended in 1913).

SECTION 6657. Traveling libraries:

Provides that any library association, library, club or school may have use of traveling libraries, on satisfactory security, without other expense than transportation.

SECTION 6658. Appropriation:

Appropriates one thousand dollars (\$1,000.00) for expenses. (Later covered by general appropriation of \$12,500).

SECTION 6659. Advice to libraries:

Shall give advice and personal attention to the librarians or trustees of public libraries.

SECTION 6662. Documents:

State librarian and library commission shall supply libraries in the state with state publications.

SECTION 6663. Interest in book business:

No member of the public library commission shall be in any way connected with the business of publishing or selling books.

COUNTY LIBRARIES

BURN'S ANNOTATED INDIANA STATUTES, 1914, VOL. 2

SECTION 4857. How established:

To establish and maintain a public library in each of the several counties for the use of the inhabitants thereof, there should be reserved ten percent of the net proceeds of the sale of all lots within the town where the county seat is situated, sold as the property of such county; ten percent upon all donations made to procure the location of such county seat; and the county commissioners shall make the necessary order for the collection and payment of the same.
(Verbatim)

SECTION 4858. Appropriations:

The county commissioners may in each year appropriate not less than twenty dollars (\$20) nor more than seventy-five dollars (\$75) for the purchase of books, maps and charts for such library.

SECTION 4859. Trustees' duties:

The clerk, auditor and recorder shall have charge of such library, and are constituted trustees. They shall elect one of their number treasurer, a suitable person librarian; prepare room and other necessary equipment; shall cause all monies appropriated to be expended in the purchase of books, charts and maps; and report to the commissioners. Each shall be liable on his official bond for the performance of these duties.

SECTION 4860. Use of the library:

Every responsible inhabitant of the county shall be entitled to use this library.

SECTION 4861. Rules:

Provides regulations and penalties for their violation.

SECTION 4862. Duties of librarian:

Prescribes the ordinary duties of the librarian.

SECTION 4863. Surplus funds:

Permits the county library trustees to loan surplus funds.

SECTION 4864. Loans:

Prescribes methods of loans.

SECTION 4865. Duties of treasurer.

SECTIONS 4866-4871. City libraries:

Provide for the maintenance of a city library at the county seat of a particular county as a county library.

TOWNSHIP LIBRARIES

BURNS' ANNOTATED INDIANA STATUTES, 1914, VOL. 3

SECTION 6647. Purchase of books:

Superintendent of public instruction shall superintend the purchase of books for township libraries under such regulations as the state board of education may adopt.

SECTION 6648. Distribution of books:

State board of education shall cause the same to be distributed to the several townships of the state under the direction of the state superintendent, who shall apportion the same according to the school populations of the townships.

SECTION 6649. Township trustee in charge:

Such a library shall be in charge of the township trustee, shall be deemed the property of the township, and shall not be subject to sale or alienation from any cause whatever. (Verbatim)

SECTION 6650. Trustees' duties:

Such trustees shall be accountable for the preservation of such library; provide rules for its use; provide equipment for it; report to the county superintendent; shall post notice at the commencement of each school term, at each school house, inviting the free use of the books by the persons of the township.

SECTION 6651. Use of library:

Every family in the township shall be entitled to the use of two volumes at a time, from said library, whether any member of such family shall attend school or not.

SECTION 6652. Where kept:

Trustees may deposit the library in some central or eligible place, and may appoint a librarian.

SECTION 6653. When open:

The library shall be open to all persons entitled to its privileges throughout the year, without regard to school session, Sundays and holidays excepted.

SECTION 6660. Township library tax:

The advisory board of any township desiring to establish a public library may levy a tax annually, of not more than one mill on each

dollar. If the advisory board do not make such levy, then by the written petition of fifty voters of any county the county election commissioners shall hold an election to determine the question. If a majority of the votes are cast in the affirmative, the township trustee shall thereafter levy annually a tax of not less than five-tenths, nor more than one, mill on each dollar, for the support of a library free to all the inhabitants of such township. Provided that such library may be discontinued by vote in the same manner. Provided further that if there be in said township a public library open to all the inhabitants thereof, the proceeds of said tax shall be paid to such library. Further, if there be in any township (outside of cities) a library established by private donations of the value of ten thousand dollars or more the township trustee shall levy not more than six cents on the hundred dollars, which shall be paid to the trustees of such library; and said trustees may, with the consent of the board of commissioners of the county, levy and collect not more than five cents on the hundred dollars, for not more than three years successively, which shall be expended for the erection and enlargement of such library building.

PUBLIC LIBRARIES

BURNS' ANNOTATED INDIANA STATUTES, 1914, VOL. 2

SECTION 4916. Establishment:

The common council of any city, or board of any incorporated town, desiring to establish and maintain a library, may levy a tax not to exceed one mill on a dollar. If such council or board do not make such levy, they shall do so at the next ensuing levy and annually thereafter after taxpayers raise by private subscription for each of the two years immediately following the date of the completion of subscription a sum equal to the amount that would be derived by a tax levy of two-tenths of a mill on each dollar. Provided that no more than two percent of the entire amount subscribed shall be by any one person, firm or corporation. These subscriptions shall be payable in eight quarterly payments, beginning the second month after the filing of the subscriptions.

SECTION 4917. Subscription list:

Provides for the filing and preservation of the subscription list, and for the notification of the council and the board of school trustees, and the judge of the circuit court of the county, that this has been done.

SECTION 4918. Examination of list. Library board. Tax.

Provides that the subscription list shall be scrutinized as to its validity and the solvency of its subscribers. This being done, the

judge of the circuit court shall appoint three residents as a library board; the first appointment, one for one year, one for two years, one for three years,—after that for two years. The school trustees, and the council or board, shall each appoint two additional members (making board of seven). If the township board of any town shall levy and collect a tax of five-tenths of a mill for library purposes, and pay this to the treasurer of such library, the township shall be represented by two members on the board. Women may be eligible to appointment on the board, and not less than three members shall be women.

SECTION 4919. Oath of office:

Provides for oaths of office and certificates of appointment.

SECTION 4920. Organization:

Provides for organization of the board.

SECTION 4921. Powers of the board:

Library board shall have control of funds and all library property; shall direct all affairs of library; shall be empowered to receive donations, bequests, legacies, to receive and convey real estate; to receive public documents; to make and enforce rules; to employ librarians and assistants. When they shall have constructed or obtained a new building, they may sell or convey the building previously used, and the funds derived from the sale shall be at the control and disbursement of the board.

SECTION 4922. Subscriptions. Taxes:

It shall be the duty of the board to collect the subscriptions and to determine the rate of tax, not to exceed one mill on each dollar, and to certify to the common council, which being done it shall be placed on the tax duplicate and collected in like manner as other taxes.

SECTION 4923. Funds:

The tax so levied shall be kept as a separate fund by the treasurer of such city or incorporated town, for library purposes. He shall pay the same on a warrant of the president and secretary of the library board.

SECTION 4924. For whose use:

Provides that the public library so established shall be free for the use and benefit of all inhabitants of the township, conditioned on the payment of a tax of two-tenths of a mill. When the public library is not so open, the library board may permit residents of the township to use the library upon payment of a fee.

SECTION 4925. Method of accepting a library:

Provides a method by which a city or incorporated town may accept the custody of a library already established and maintain it.

SECTION 4926. Appointment. Removal:

Provides for the appointment and removal of members of library board for such library.

SECTION 4927. Treasurer's report:

Provides for the report of the treasurer.

SECTION 4928. Repeals inconsistent laws:

Provides that this act shall not interfere with the maintenance and management of any existing library already established and operating under the laws of the state.

SECTION 4929-4938. Establishment:

Provide for associations for the establishment of public libraries, art galleries, public reading-rooms, and parks.

SECTION 4939. Provision for town which becomes a city:

Provides that an incorporated town having become incorporated as a city and having previously supported a library may continue to levy a tax for that purpose.

SECTIONS 4940-4941. Real estate:

Permits certain libraries to purchase real estate and to mortgage the same.

SECTION 4941 a. Relates to the library fund in a particular county.

SECTIONS 4890-4910. Give a series of laws providing for libraries in particular sub-divisions, discriminated by population or size of library.

SECTIONS 4911-4912. Library established may become town library:

Provide a method by, and conditions on which, a library already established may become a town library.

SECTIONS 4912 a, b, c.: Library, established may become township library:

Provide methods by which a city or town library may become the library of the township in which the city or town is situated.

SECTION: 4912 d and e. Transfer of property:

Provide method by which property may be transferred from a town board to a public library board in the same town.

BURN'S ANNOTATED STATUTES, 1914, VOL. 3

SECTION 6642. School board may establish library:

In all cities and incorporated towns, whatever board is established to take charge of the public schools shall have power to establish a free public library, to make rules for its care and government and provide penalties for their violation; provided that no free public library is already established in such city or town.

In a particular city, the school board was given power, with consent of the library board, to take over the library already established.

SECTION 6643. Tax:

Such school board may levy a tax not exceeding one mill on the dollar, and shall expend thereon for rooms, purchase, care and binding of books, and in payment of librarian and assistants.

SECTION 6644. Limits tax, in city of 30,000:

In cities having at the census of 1870 a population of thirty thousand or more, the tax shall not exceed two-fifths of a mill.

SECTION 6645. Real estate:

Any such city in which a free public library may be established in accordance with the terms of this act, may acquire by purchase, or take and hold by gift, grant or devise, any real estate necessary for or which may be donated or devised for, the benefit of such library; and all revenues arising therefrom, and the proceeds of the same if sold, shall be devoted to the use of said library.

SECTION 6646. Payment from special school fund:

In case the school authorities of any city have purchased real estate for a library under sections 4524, 4525 and 4526 of the revised statutes of 1881, and the revenue from taxation is insufficient to pay for such real estate, then said trustees are authorized to pay deficiencies out of any money in special school fund.

Note: The sections 4524, 4525 and 4526 mentioned above are probably obsolete. This section 6646 has the appearance of an enactment to meet a special condition in some particular city.

LIBRARY ASSOCIATIONS

BURNS' ANNOTATED STATUTES, 1914, VOL. 2

SECTION 4872. How established:

Inhabitants of any city, town or village, or neighborhood, or any part of them, having subscribed fifty dollars or upwards towards establishing a public library, may assemble themselves for the purpose of holding an election of directors.

SECTIONS 4873-4876. Election method:

Prescribe the method of holding the election and making record and statement of the same.

SECTION 4877. Powers of directors:

After such statement shall be duly recorded, the president and directors, and their successors forever, shall be a body corporate and politic.

SECTION 4878. Banking:

Forbids any such library board from issuing or dealing in notes or bills of exchange.

SECTION 4879. Annual election of directors:

Directors shall thereafter be elected annually.

SECTION 4880. By-laws:

Directors shall make by-laws for the library or libraries.

SECTION 4881. Assessments. Officers:

Shall have power to levy a tax on the share-holders, not to exceed one dollar on each share in one year. Share-holders may at their pleasure increase this to five dollars.

Shall appoint a treasurer and librarian.

SECTION 4882. Quorum. Vacancies:

A majority of the electors constitute a quorum. Shall have power to fill vacancies.

SECTION 4883. Donations:

Directors shall have power to receive donations.

SECTIONS 4884-4889. Cities controlling associate libraries:

Authorizes cities having in 1900 a population of 3500 or not more than 4000 to accept control of an associate library, to govern and maintain the same.

SECTION 4913. Transfer of township library:

Provides for the transfer of a township library to a library established in the township by private donations.

SECTION 4914. Reversion:

Provides for the reversion of such library to the township in case the library association ceases to exist.

SECTION 4915. Associations legalized:

Legalizes library associations which purport to have been organized and established pursuant to the provisions and laws of the state and which have private donations to the amount of one thousand dollars.

IOWA

STATE LIBRARY AND HISTORICAL COLLECTIONS

ANNOTATED CODE, 1897

SECTION 2858. Trustees, librarian, etc.:

State library shall be controlled by board of trustees consisting of the governor, judges of the supreme court, the secretary of state and superintendent of public instruction, of which the governor shall be president. They shall appoint a librarian and curator of the historical collection; shall make rules and regulations for the library; shall have the power to remove the officers.

SECTION 2859. Use of the library:

Certain state officials mentioned have the right to withdraw books from the library.

SECTION 2860. Librarian:

Librarian shall hold office for two years; shall give bond for five thousand (\$5,000.00) dollars.

SECTION 2861. Librarian's duties:

Librarian shall have charge of the library and give personal attention to the duties during such hours as the trustees shall direct.

SECTION 2862. Catalog:

Librarian shall label and catalog the books and prepare a catalog for publication.

SECTION 2863. Report of books:

Librarian shall report to the governor the books withdrawn by the members of the assembly.

SECTION 2864. Fines:

Provides that all fines and penalties shall be applied to the use of the library.

SECTION 2865. Liabilities:

Provides penalties for injuring, destroying or losing books.

SECTION 2866. Report:

Provides the librarian shall report to the trustees semi-annually, or oftener if required; shall report fully to the governor biennially.

SECTION 2875. Curator of historical department:

Curator shall hold office six years, shall have charge, shall catalog all collections under his charge.

SECTION 2876. Collections of memorials:

Curator shall, with the approval of the trustees, collect memorials and mementos of the pioneers of Iowa, etc.

SECTIONS 2877-2878. Ethnology and archaeology:

Curator shall receive and arrange objects illustrative of ethnology and archaeology in rooms provided in capitol.

SECTIONS 2879-2881. Appropriations:

Provided appropriations for historical department and salaries of curator and librarian; were superceded by Sections 2881 a-i, following:

CONSOLIDATION OF STATE LIBRARY WITH HISTORICAL DEPARTMENT

SUPPLEMENT TO CODE, 1913, CHAPTER 17A

SECTION 2881 a. Consolidation:

Provides that the miscellaneous portions of the state library shall be consolidated with the historical department on the 1st day of January, 1901, or such later date as the trustees may direct; and the boards shall become one board.

SECTION 2881 b. State librarian:

After such consolidation the state librarian shall have general charge of the historical department, the consolidated and law libraries. The state librarian shall report to the governor biennially.

SECTION 2881 c. Furniture:

Authorizes the purchase of furniture and fixtures.

SECTION 2881 d. Assignment of rooms.

SECTION 2881 e. Appropriations:

There shall be annually appropriated from any money in the state treasury, not otherwise appropriated, the sum of six thousand dollars for the use of the law department and legislative reference bureau; six thousand dollars for the use of the miscellaneous department; and six thousand dollars for the historical department, the money to be expended under the direction of the board of trustees of the state library and historical department. (Verbatim)

SECTION 2881 f. Salaries:

Fixes salaries of state librarian, curator of the museum, and law librarian.

SECTION 2881 g. Assistants:

Provides other assistants and fixes their salaries.

SECTION 2881 h. Bonds:

The state librarian shall give bond for five thousand dollars; the curator and assistant librarian for one thousand each.

SECTION 2881 i. Salary payments:

Provides for monthly payment of salaries.

SECTIONS 2881 j-2881 n. Related to the public archives. They were repealed by the 36th General Assembly and replaced by the following:

SUPPLEMENTAL SUPPLEMENT TO CODE, 1915, CHAPTER 17A

SECTION 2881 o. This repeals 2881 j-n inclusive, as noted above.

SECTION 2881 p. Public archives custody:

Gives the curator of the historical department custody of the archives.

SECTION 2881 q. Heads of departments authorized to deliver records.

SECTION 2881 r. Curator authorized to receive records.

SECTION 2881 s. Executive council to equip rooms in the Historical, Memorial and Art buildings.

SECTION 2881 t. Curator to certify to copies. Conditions authorizing removals. Fees.

STATE LIBRARY COMMISSION

SUPPLEMENT TO CODE, 1913

SECTION 2888 a. Library commission:

The governor shall appoint four persons, at least two of whom shall be women, who, with the state librarian, the superintendent of public instruction and the president of the state university, shall constitute a state library commission.

After the first appointments the terms shall be for five years.

SECTION 2888 b. Repeals former sections.

SECTION 2888 c. Duties of commission:

The commission shall give advice to all public libraries, and communities which may propose to establish them, upon all details of library management. They may print lists and circulars; may conduct a summer school of library instruction and a clearing-house for periodicals for free gift to local libraries, and perform such other public service as may seem desirable.

SECTION 2888 d. Traveling libraries:

The state library board shall transfer to the Iowa library commission all associate and traveling libraries belonging to the state; and the said library commission is authorized to accept the same, and it shall be their duty to operate such associate and traveling libraries, to be loaned to libraries, schools, colleges, farmers' institutes, study clubs and other institutions and individuals, free of cost except for transportation, under suitable conditions and rules.

SECTION 2888 e. Secretary, etc.:

The commission shall employ a secretary, not of its own number, who shall serve at the will of the commission. It may employ such other assistants as may be necessary, and shall fix the salaries.

The salary of the secretary shall be fixed by the committee on retrenchment and reform.

The secretary shall keep a record of proceedings, and the financial accounts of the commission; shall aid and supervise the traveling libraries, and organize new libraries.

In addition to his salary, he shall have necessary traveling expenses.

SECTION 2888 f. Report of secretary:

The secretary of the commission shall report fully on the condition of Iowa libraries, on July 1, 1903.

SECTION 2888 g. Reports from libraries:

The commission shall obtain from all public libraries reports, and shall furnish annually to the secretary of state such information for publication as may be deemed of public interest.

SUPPLEMENTAL SUPPLEMENT TO CODE, 1915

SECTION 2888 h. Expenses:

No member of the commission shall receive any compensation; but necessary traveling expenses shall be paid, and the necessary expenses connected with the work of the commission and the maintenance of the traveling library system, provided the total expense shall not exceed fifteen thousand dollars in one year and that not more than nine thousand dollars of this shall be used for payment of salaries. All bills and all expenses of the members of the commission and its officers shall be audited and allowed by the executive council before being paid.

PUBLIC LIBRARIES

SUPPLEMENT TO CODE, 1913

SECTION 727. Public libraries:

Cities and towns shall have power to provide for the formation and maintenance of free public libraries open to the use of all the inhabitants, under proper regulations, and may purchase land and erect buildings, or hire buildings or rooms suitable for that purpose, and provide for the compensation of the necessary employees; may receive, hold or dispose of, any and all gifts, donations, devises and bequests that may be made to them for the purpose of establishing, increasing or improving any such library; and, when the conditions of such gifts, donations, devises and bequests have once been accepted by the council, the performance of such conditions may be enforced at the instance of the library board, by mandamus

and by other due process of law; and the council may apply the profits, proceeds, interest and rents accruing therefrom in such manner as will best promote the prosperity and utility of such library; but no money can be appropriated for such purpose until the electors of such city or town shall have voted at a general or special election, for the establishment of such a library.

(Verbatim)

SECTION 727 a. Special charter cities. This act shall apply to cities acting under special charter.

SUPPLEMENTAL SUPPLEMENT TO CODE, 1915

SECTION 728. Library trustees:

In any city or town in which a free library has been established, a board consisting of five, seven or nine trustees shall be appointed by the mayor, with the approval of the council, and shall hold office when first appointed for two, four and six years,—thereafter for six years.

Citizens of the city or town, male or female, over the age of 21, are alone eligible. Removal from the city vacates the office.

Trustees shall receive no compensation.

Provided that in cities or towns where a college or university is located, it shall be lawful for the city or town to cooperate with the college or university in maintaining a library; but no city may contribute more than the amount produced by the legal rate of taxation; and only persons having the legal qualifications may become trustees.

SUPPLEMENT TO CODE, 1913, CHAPTER 4

SECTION 729. Powers of library trustees:

Trustees shall organize by the election of one of their members as president, and by the election of such other officers as may be necessary; shall have control of the public library; shall have power to employ a librarian and assistants and fix their compensation, to remove the librarian or assistants, to purchase books, pamphlets and other necessary property for the library, to authorize use of the library by non-residents for a compensation, to make rules not inconsistent with the law; have exclusive control of expenditures of all funds from all sources, for all library purposes; shall keep a record of their proceedings.

SECTION 729 a. Township trustees. Power to contract:

The trustees of any free public library shall have power to contract with any school corporation, civil township, or county, in which such library is situated, any city or town, whether in the same or an adjoining county, for the free use of said library by the residents

of such school corporation, township, county, city or town, by one or more of the following methods in whole or in part:

(1) By lending books of such library to such residents on the same terms and conditions as to the residents of the city or town in which said library is situated.

(2) By the establishment of depositaries of books of said library, to be loaned to such residents at stated times and places.

(3) By the transportation of books of such library to such residents, by wagon or other conveyance for lending the same to such residents, at stated times and places.

(4) By the establishment of branch libraries for lending books to such residents.

Such contracts, unless otherwise provided therein, shall remain in force for five years, unless sooner terminated by a majority vote of the electors of such school corporation, township, county, city or town.

LAWS, 1913, CHAPTER 70

SECTION 1. See foregoing Section 729 a, which is Section 1 amended.

SECTION 2. Use. Compensation:

Authorizes the trustees of any civil township to contract as provided in Section 1, with any free public library for its free use by the residents of the township, authorizes the payment of an agreed amount therefor, and the levy of a tax not exceeding one mill for that purpose.

When petitioned by a majority of the resident tax-payers, and the library gives written consent, it shall be the duty of the trustees to execute such contract. When such contract is made, whether on petition of resident tax-payers or not, an amount sufficient to pay the consideration shall be annually levied.

SECTION 3. City or town may contract:

Gives the council of any city or town in which there is no public library, power to contract for the free use of any free public library, and provides a levy therefor, on similar conditions as section 2.

SECTION 4. Comnty may contract:

Amends Supplement to the Code 1907, section 422, the first paragraph of which reads:

SECTION 422. Power specified:

The board of [comnty] supervisors, at any regular meeting, shall have the following powers, to-wit: * * *

24. To contract with any free public library in the comnty for the free use of the books thereof by the residents of the county outside of the cities and towns therein, as provided in section 1 of this act, —which contract when made shall supercede all contracts made by townships or school corporations,—and to levy annually on the

taxable property of the county outside of cities and towns a tax of not more than one mill on the dollar, to be used exclusively for that purpose.

SECTION 5. School directors may contract:

Gives directors of any school corporation in which there is no free public library, power to contract with any public library for free use of such library by residents of such school district, and to pay such library the amount agreed therefor, not exceeding one mill on the dollar, and to levy therefor a tax not exceeding one mill on the dollar. Relieves school corporations making such contract from the requirements of section 2823n of the Supplement to the Code, 1907. (This was enacted as an addition to Supplement of the Code 1907, section 2806, which section provides a transportation fund).

SUPPLEMENT TO CODE, 1913

SECTION 729 b. Powers of library trustees:

In any city or town having a free library, the library trustees shall have power to condemn real estate in the name of the city or town, for the construction of main or branch library buildings and for enlarging the grounds of such buildings.

SECTION 729 c. Condemnation proceedings:

Proceedings for condemnation shall be in accordance with the provisions of the court, except that no attorney's fee shall be allowed for the owner.

SECTION 729 d. Special charter cities:

This act shall apply to cities acting under special charter.

(Verbatim)

SECTION 729 e. Power to unite with historical associations:

Whenever a county historical association shall be formed in a county having a public library, the trustees of such library are authorized to unite with the historical association, to set apart necessary room, furnish necessary receptacles and care for such articles as in their judgment may be of historical and educational value.

SECTION 730. Library fund:

All moneys for the maintenance of such library shall be deposited as a separate fund with the city treasurer, and paid out upon the order of the trustees, provided that, in any city or town where a library is maintained jointly by the city or town and an institution of learning, the library trustees may elect a library treasurer to whom the city treasurer shall pay over the taxes accrued for the library.

(Note: The above section, 730, was made applicable to special charter cities by Section 952).

SECTION 730 a. Contracts, etc., legalized:

Where cities or incorporated towns and institutions of learning have established or contracted to establish public libraries jointly, all contracts, elections, ordinances and other proceedings made, held or passed as provided by law, are declared valid and obligatory as though made, held or passed after the taking effect of this act.

ANNOTATED CODE, 1897

SECTION 731. Board of trustees shall report annually to the council.

Note: This section 731 does not appear in any later edition of the code.

SUPPLEMENT TO CODE, 1913

SECTION 732. Library tax:

The board of trustees shall, before the first of August in each year, fix the amount of rate, not exceeding five mills on the dollar in all cities and incorporated towns, to be levied, collected and appropriated for the ensuing year, for the maintenance of such library; and in cities and towns an amount not exceeding three mills on the dollar for library buildings and for the creation of sinking fund for the extinguishing of indebtedness. This shall be certified to the city council, who shall levy such tax or such portion thereof as they may deem necessary.

In any city or town under special charter where the Mulet law is in force, the city or town council may, in addition to the tax hereinbefore provided for, appropriate not to exceed twenty percent of the total amount of the Mulet tax received by said municipality, for the support and maintenance of the free public library, including the purchase of books and furniture.

(Note: The Mulet Law provides a tax collected from liquor dealers).

When any public library building shall be fully completed and paid for, and a balance remains in the library building fund, the library trustees are authorized to transfer such excess to the maintenance fund; provided this shall not be construed to authorize a levy of tax for building purposes after the building has been erected, with intent to take advantage of this act to increase the library income for maintenance purposes.

Note in Supplemental Code, 1913:

The second paragraph of the above section, commencing with the word "In" * * * was enacted by the 39th general assembly as additional to the section 732, but the 31st general assembly, chapter 21, repealed section 732 of the supplement of the code without referring to or specifically repealing the amendment enacted

by the 30th general assembly; so it was deemed best to show both enactments.

Note: From the above note in the code, and from one in the pamphlet published by the library commission, it appears that section 732 was repealed without referring specifically to its amendments but has nevertheless been amended since,—the latest amendment being in 1913. It is therefore included, as the editor of the Code regards its validity as a matter for judicial determination.

SECTION 741 n. Contract for use of libraries:

City or town councils shall have power to contract with the trustees of any free public library for use of said library by the people of the city or town not having the use of a library, upon the same terms as residents in the city or town where the library is located, and to pay such library such an amount as may be agreed upon therefor, and to levy a tax not exceeding one mill on the dollar therefor.

SECTION 1056 a 26 a. Cities under commission government:

In cities under commission form of government, the library board shall consist of five members, excepting in cities maintaining a library under lease or contract fixing a different number.

SECTION 1056 a 26 b. Selection. Terms:

Trustees shall be appointed by mayor, with approval of council, for five years.

SCHOOL LIBRARIES

SUPPLEMENT TO CODE, 1913

SECTION 2823 n. Library fund:

Treasurer of each school township and each rural independent district shall withhold annually from the money received for apportionment to the several school districts not less than five nor more than fifteen cents, as may be ordered by the board, for each person of school age resident in such district.

SECTION 2823 o. Purchase of books. Distribution:

Officers of the board, with the county superintendent, shall expend such money for the purchase of books selected from lists prepared by the state board of educational examiners.

In school townships, the secretary shall distribute the books among the several sub-districts,—collecting and redistributing them semi-annually.

SECTION 2823 p. Lists:

The state board of examiners shall prepare lists of books suitable for school district libraries, annually or biennially.

SECTION 2823 q. Record:

Each secretary shall keep a complete record of books purchased and distributed.

SECTION 2823 r. Librarian:

Unless the board of electors shall elect some other person, the secretary in independent districts, and the director in sub-districts, shall act as librarian, shall care for the books, loan them for teachers, pupils and other residents of the district, in accordance with the rules prescribed by the state board of educational examiners and directors. The teacher shall be responsible for the proper care of the books.

The board of directors shall equitably distribute them among the different schools.

SUPPLEMENT TO CODE, 1913

SECTION 2806. School corporations may contract for use of library:

This permits the board of directors of any school corporation having no library to contract for the free use of another library and to levy a tax not exceeding one mill on the dollar to pay for the same.

KANSAS

STATE LIBRARY

GENERAL STATUTES, 1909

- SECTION 8221. Constitutes library.
- SECTION 8222. Registry of use.
- SECTION 8223. Detention and injury of books.
- SECTION 8224. Report.
- SECTION 8225. Appropriation.
- SECTION 8226. Catalog.
- SECTION 8227. Liability of librarian.
- SECTION 8228. Penalty for removing book from the library.
- SECTION 8229. Exchange of documents.
- SECTION 8230. Copies of laws.
- SECTION 8231. Expenses.
- SECTION 8232. Exchange of books.
- SECTION 8233. Printed catalog.
- SECTION 8234. Directors. Justices of the Supreme Court shall be
ex-officio directors of the state library.
- SECTION 8235. Rules.
- SECTION 8236. Hours.
- SECTION 8237. Issue of books.
- SECTION 8238. Use of books.
- SECTION 8239. Duties of librarian.
- SECTION 8240. Preparation of books.
- SECTION 8241. Report.
- SECTION 8242. Appointment of librarian.
- SECTION 8243. Publications:
Provides for the delivery to certain libraries, of sets of Kansas
reports.
- SECTION 8244. Same:
Provides for the delivery to the Carnegie Law Library Association
of Wyandotte County, of the report of the Supreme Court and of
the Court of Appeals, and of Dasser's Digest.
- SECTION 8245 to 8248 inclusive, provide for the Stormont Library
Fund.
- SECTIONS 8249 and 8250 provide for the exchange of reports of
Supreme Court for other books.

TRAVELING LIBRARY COMMISSION

SECTION 8251. Appointment:

Authorizes the directors of state library to appoint three persons who, with the state librarian and the president of the Kansas State Social Science Federation of Clubs, shall constitute a board to be known as the Kansas Traveling Libraries Commission, of which the state librarian shall be ex-officio chairman. The terms of the appointed members shall be three years.

SECTION 8252. Management of library:

The commission shall manage the traveling library department of the state library; make rules and regulations; may send out temporarily from the miscellaneous department of the state library such books as may be designated for that purpose by the directors of the state library, or any books given or bought for such traveling library, to any library in the state or to any community or organization which has conformed to the regulations of the commission. Books so sent out shall be kept for the use of the public under reasonable regulations. Commission shall carry on this work as far as practicable, and shall have help of the assistant in charge of the miscellaneous department of the state library.

SECTION 8253. Publications:

Authorizes the state librarian to deliver Supreme Court and other reports to the board of control of state charitable institutions. Places the Applington Art Gallery under control of the Kansas State of Kansas accepts the Applington Art Gallery.

SECTION 8255. Applington Art Gallery:

Places the Applington Art Gallery under control of the Kansas Traveling Libraries Commission.

SECTION 8256. Compensation:

Provides compensation and traveling expenses for four days during the year, to members of the Traveling Libraries Commission.

PUBLIC LIBRARIES

LAWS, 1915, CHAPTER 123

SECTION 1. Establishment:

Upon a written petition of twenty-five percent of the resident taxpayers of any city, presented to mayor and council, mayor and council shall submit to legal voters at the first city election thereafter, or at a special election, if petition so requests, the question of establishing and maintaining a free public library and reading

room. If the majority of votes cast are in favor, the mayor and council shall annually thereafter levy a tax in a sum designated by the resolution of the directors of the library, not to exceed one-half of one mill on the dollar, to be levied, collected and known as the Library Fund; and providing, that in cities having a population of forty thousand or more the levy shall not exceed one-quarter of one mill.

LAWS, 1913, CHAPTER 80

SECTION 1. For this, as amended in 1915, see foregoing section.

SECTION 2. Directors:

When any city shall decide to establish a public library, the mayor shall, with the approval of the city council, appoint nine directors, residents of the city; the mayor shall be ex-officio member, but no other city official shall be appointed. No director shall receive compensation.

SECTION 3. Terms of office:

Directors as appointed shall hold office, two for one year, two for two, two for three and two for four years. Vacancies shall be filled by appointment for four years. Mayor may, by consent of council, remove any director for misconduct or neglect. Vacancies shall be filled in same manner as original appointments.

SECTION 4. This repeals Sections 734, 735 and 736 of the General Statutes, 1909, replaced by foregoing sections 1, 2 and 3.

GENERAL STATUTES, 1909

SECTION 737. Organization. Powers:

Directors shall organize by the election of officers, shall adopt by-laws and rules, shall have charge of property, shall have power to purchase or lease ground, to erect buildings, purchase books, etc., appoint staff and fix compensation, to remove appointees, and shall have exclusive control of the funds.

SECTION 738. Libraries free:

Libraries shall be forever free to the inhabitants of the city, subject to the rules of the board.

SECTION 739. Report:

Board of directors shall report annually to mayor and city council.

SECTION 740. Penalties:

Mayor and city council shall have power to pass ordinances, impose penalties for injury to library property, or failure to return books.

SECTION 741. Gifts:

Donor shall have the right to vest title of property given in board and board shall be held special trustees.

SECTION 742. Transfer of Association Library:

Provides for the transfer of property of a library association to public library board.

SECTION 743. Same:

Provides for the board of directors of library association property thus transferred.

LAWS, 1911, CHAPTER 78

SECTION 1. Treasurer:

Directors of Free Public Library shall elect a treasurer holding office for two years, giving bond approved by city council.

SECTION 2. Transfer of funds:

City treasurer shall, when such library treasurer has been duly certified and bonded, pay over to him all funds collected for public library to be thereafter disposed by him under the direction of the board of directors of the library.

SECTION 3. Provides form of payment.

SECTION 4. Puts act in force after publication.

Note, Chap. 185, gives women the right to vote on all library questions.

CLASSIFICATION OF CITIES

GENERAL STATUTES 1909

SECTION 864. First-class:

Cities attaining a population of over fifteen thousand in any census enumeration taken under any law of the United States or of the State of Kansas shall become cities of the first class.

SECTION 1340. Second-class:

Cities having a population of over two thousand and not exceeding fifteen thousand shall become cities of the second class.

SECTION 1510. Third-class:

Municipal corporations containing not more than two thousand people and not heretofore organized as cities of the second class shall become cities of the third class.

SCHOOL DISTRICT LIBRARIES

GENERAL STATUTES, 1909

SECTION 7546. Tax:

The school district of the state may at the annual meeting of each year vote a tax of not to exceed two mills on the dollar in districts having property to the amount of not more than twenty thousand (\$20,000) dollars, in districts having more than twenty thousand (\$20,000) dollars and not more than thirty thousand (\$30,000) dollars a tax of not more than one and one-half mills, in districts having property more than thirty thousand (\$30,000) dollars and not more than fifty thousand (\$50,000) dollars a tax not exceeding one mill, in districts having more than fifty thousand (\$50,000) dollars a tax not exceeding one-half mill.

SECTION 7547. Purchase of Library:

The money so collected shall be used under the direction of a board for the purchase of a school district library including only works of history, biography, science and travels.

SECTION 7548. Librarian:

District clerk shall be librarian, unless board appoint some one else; board shall make regulations.

KENTUCKY

STATE LIBRARY

KENTUCKY STATUTES, 5TH ED., 1915, J. D. CARROLL

VOL. 1, CHAPTER 78, 1893

SECTION 2439. Rooms:

Designates rooms in the capitol for the state library.

SECTION 2440. Funds:

Sets apart five hundred (\$500.00) dollars per annum and the tax on all appeals in the court of appeals for the gradual increase of the library.

SECTION 2441. Reports of books purchased:

Librarian shall report annually, lists of books purchased under the foregoing authority, not to exceed five hundred (\$500.00) dollars in any one year.

SECTION 2442. Literary works:

Authorizes the librarian to further expend each year the sum of two hundred (\$200.00) dollars on literary and miscellaneous books.

SECTION 2443. Specifies books now on hand shall constitute a part of the state library.

SECTION 2444. Use of library:

Prescribes rules for the use of the library and penalties for their violation.

SECTION 2445. Librarian (1910):

Provides for the election of a librarian for four years.

SECTION 2446. Bond:

Requires a bond of five thousand (\$5,000.00) dollars of the librarian.

SECTION 2447: Library staff:

Provides for an assistant librarian and additional clerical help.

SECTION 2447 a. Provides a clerk for the librarian.

SECTION 2448. Provides for a porter.

SECTION 2449. Duties of librarian:

To keep the library rooms open every day except Sunday for specified hours. Keep the library rooms and property in order. To have prepared a complete catalog to be printed every six years; to receipt for all property.

SECTION 2450. Trustees:

Secretary of state, attorney general and auditor of public accounts shall be trustees of the library. They shall see that the librarian properly discharges the duties of his office.

SECTION 2451. Suit by librarian:

Librarian shall sue any person for a book or other property which he fails to return or for damage done to library property.

SECTION 2452. Sale and exchange of books:

Authorizes librarian to sell or exchange certain state publications.

SECTION 2453. Expenditures:

Librarian shall keep an itemized account of expenditures and report same to general assembly at each stated session.

SECTIONS 2454 and 2455. Stationery:

Provide that the librarian shall provide stationery for the public office and prescribes the manner of buying it.

SECTIONS 2456 and 2457. Publications for exchange:

Provide for supplying the librarian with copies of decisions of the court of appeals for exchange with other states and prescribes method of exchange.

SECTION 2458. Executive office:

Prescribes certain books which are to be provided for the executive office.

SECTION 2459. Inventory:

Provides that each librarian shall turn over to his successor inventories of all property.

SECTION 2460. Authorizes the librarian to have water from the Frankfort waterworks turned into the fountain in Capitol Square.

SECTION 2461. Compensation:

Allows librarian and assistant librarian no further compensation than salary provided.

SECTION 2462. Vacancy:

Gives the governor authority to fill any vacancy.

LIBRARY COMMISSION

KENTUCKY STATUTES, 5TH ED., 1915, J. D. CARROLL, VOL. I,

CHAPTER 77c, 1910

SECTION 2438 c.:

1. Creation:

A commission of five members is hereby created known as the Kentucky library commission; to be constituted as hereinafter provided; to have permanent quarters in the capitol.

2. Members. Appointment. Term. Expenses:

Members of the commission shall be appointed by the governor, one each for one, two and three years and two for four years; thereafter commissioners shall be appointed annually for a term of four years. At least one member of the commission shall be a woman, who shall be appointed from a list of not less than three names, presented by the Kentucky Federation of Women's Clubs. Vacancies shall be filled by governor for unexpired terms. No commissioner shall receive compensation, but actual expenses incurred in the performance of said duties shall be paid. No commissioner shall be engaged or interested in the publishing business.

3. Officers. Secretary:

The officers shall be a chairman, elected from members, a secretary not a member, a person trained in modern library methods. Secretary shall be appointed by the commission and serve at the will of the commission at a salary not exceeding fifteen hundred (\$1,500.00) dollars, and he shall keep a record of proceedings; accounts of financial transactions; shall have charge of organizing and improving libraries, supervising the traveling libraries, and performing such other duties as may be assigned by the commission. The commission is authorized to employ such further help as may be necessary. Actual expenses of staff while absent on commission duty will be paid.

4. Duties and powers of commission:

The commission shall give assistance and counsel to all institutional and public libraries and all communities proposing to establish libraries, upon the best methods of library organization and may send any of its members to aid in such organization. It may receive gifts of money, books or other property. It may purchase and operate traveling libraries. It may issue printed material such as lists, and circulars of information and may cooperate with other state library commissions and libraries. It may conduct courses of library instruction and hold librarians' institutes. It shall perform such other service in behalf of public libraries as it may consider for the best interests of the state.

5. The commission shall biennially report to the governor and this report when printed shall be presented to the general assembly and distributed by the commission. The report shall be printed under the same regulations as other reports of the executive officials of the state.

6. Expenses:

The auditor is authorized to draw warrants for expenses on the order of the Kentucky library commission.

7. Appropriation:

To carry out the provisions of this act, the sum of six thousand (\$6,000.00) dollars is appropriated annually.

CLASSIFICATION OF CITIES AND TOWNS

KENTUCKY STATUTES, 1915, J. D. CARROLL, VOL. 2

SECTION 2740. Six classes:

The cities and towns of the commonwealth are classified as follows, to-wit: First class, Louisville; second class, Lexington, Covington, Newport, Paducah; third class, Owensboro, Henderson, Frankfort, Bowling Green, Middlesboro, Hopkinsville; fourth class, thirty-five cities named; fifth class, sixty-seven cities named; sixth class, all other incorporated cities and towns.

PUBLIC LIBRARIES

CITIES OF THE FIRST CLASS, LOUISVILLE

SECTION 2801 a. Contract for use of existing library:

1. The mayor, with consent of general council, may contract for a period not exceeding five years and renew the same from time to time thereafter, with the association or corporation owning and controlling an existing library which contains not less than fifty thousand volumes to the end that such library shall be free and open to the public and all persons residing or sojourning in such city at all reasonable times and under proper regulations except that it may be closed on Sunday if deemed proper by such association. It shall be provided that such library shall, during the period covered, be open and free to the general public, subject to the proper regulation by such governing body, being equal and free to all persons applying therefor; that it shall be non-sectarian and be so conducted, and its reading rooms and circulating departments shall be maintained free and open to the public.

2. Tax levy. Report:

As consideration for such public use such city shall annually, in fixing the tax rate, include a levy for library purposes not exceeding two cents on each one hundred (\$100.00) dollars, to be paid over to the association aforesaid. Said association shall annually report to the mayor.

SECTION 2801 b. Free library may be established:

1. Any city of the first class may establish and maintain a free public library with circulating and reference departments, reading rooms, branches and stations. The uses and privileges of such library shall forever be free and equal to all residents of such city, subject only to the rules and regulations established by the board

of trustees. Such board may extend the privilege and use of such library to persons residing outside the city upon such conditions as it may prescribe.

2. When act becomes operative:

The general council may by ordinance signify its intent to establish a free library under the provisions of this act and when it shall have been so ordained the said city shall thereafter be treated as having exercised its discretion to establish such library and the subsequent provisions of this act shall then become operative.

3. Trustees:

The mayor shall then name twelve trustees, three for one, three for two, three for three and three for four years and as these terms expire, shall appoint their successors for four years. No person shall be eligible who is not at the time a taxpayer, qualified voter and a resident for the two years prior. No salary or compensation shall be paid or received by such trustee. The twelve trustees together with the mayor, ex-officio, shall constitute a board of trustees of the free public library and shall be a corporation with power to make rules to govern itself and to control and manage the property entrusted to its care, to contract and be contracted with, to sue and be sued, to defend and be defended in all courts, to acquire by gift, devise or otherwise and to hold real and personal property for the public library, to establish, manage, convey or rent property, to erect buildings, to have a seal. Vacancies shall be filled in like manner as original appointments.

4. Meetings. Organization:

Board shall meet monthly and oftener if necessary. A majority shall constitute a quorum, but no appropriation of money except for ordinary expenditure shall be made unless upon the affirmative vote of a majority of the members. Except for the purpose of erecting a library building, the board shall not incur liabilities for any current year in excess of its annual income, including gifts and unexpended balances. It shall organize by selecting a president and vice-president of its own number and may choose a secretary and treasurer and such other officers as it may deem proper, prescribe their duties, fix their compensation and remove at pleasure.

5. Funds:

All monies shall be deposited in some chartered bank in said city. Funds shall be withdrawn only on order of the board by check of its treasurer, countersigned by its president or vice president.

6. Tax:

To raise money for the establishment and maintenance of the library, the common council shall annually cause to be levied a tax of not less than two and one-half cents nor more than four cents on each

one hundred (\$100.00) dollars. The amount so collected shall be paid over to the board of trustees by the city treasurer in regular weekly installments. The board shall annually report to the general assembly. No portion of the property or funds held or raised for library purposes shall ever be applied to the support of any library not exclusively under the control and management of the board of trustees as herein provided.

7. Property may be accepted:

The board of trustees may accept such gifts and donations of property upon such conditions not in conflict with the constitution and laws as may be agreed upon by said board and the donor, and the title of such property shall be vested in such board of trustees and the city may be a party to any deed or instrument for the purpose of carrying out such arrangement.

8. Penalty:

The general council shall have power to pass ordinances imposing suitable penalties for injury to the library or grounds, or for disorderly conduct, or for injury to, or failure to return books.

(Note: The Louisville Public Library operates under the provisions of Section 2801 a and 2801 b. Under 2801 a it acquired the library and other property of the Polytechnic society.

TAX LEVY

SECTION 2981. Ordinance fixing rate and subdivision of levy:

In the ordinance fixing, for any year, the tax rate, the general council shall subdivide its levy as follows:

* * * a levy for library purposes * * *. The general council shall cause the foregoing levies to be made for the purposes stated, by an ordinance fixing the tax rate each year. (Act of March 20, 1900).

PUBLIC LIBRARIES IN CITIES OF THE SECOND CLASS—LEXINGTON, COVINGTON, NEWPORT, PADUCAH

SECTION 3210. Establishment. Control. Use. Appropriation:

As soon as a sufficient fund for the purpose shall be accumulated under the provisions of this act, augmented by contributions or otherwise, there shall be established and maintained a free public library; under the direction and control of a board of five trustees, appointed by the mayor for a term of four years, such board shall have custody, management and expenditure of all funds for public library purposes; shall serve without compensation; shall each give bond of five thousand (\$5,000.00) dollars; shall take oath. Said board shall have power to establish, maintain and conduct said

library, to establish rules and regulations. Said library shall be open and free to the public under reasonable regulations until at least nine o'clock at night, but may be closed on Sunday. When there is already established in the city a public library, the board of trustees may enter into an agreement with the person, association or corporation owning or controlling such library, whereby such library may be transferred or leased to said board for a term of years, or in perpetuity, or united with that established by the city under the provision of this act. Said board shall be strictly non-sectarian. For such library there is hereby appropriated and the general council shall annually direct to be paid over to said library, three per cent of the net amount of taxes levied annually in the city for school purposes and one-half of the net amount of all fines, and costs collected in the police court.

(Note: A note in the Code in connection with this section, 3210, says, "So much of this section as provides that a portion of the funds collected for school purposes shall be devoted to the library is unconstitutional," and gives references to Kentucky reports.)

SECTION 3210 a. When appropriations shall be made compulsory. Covington:

Whenever any city of the second class under laws heretofore enacted shall accumulate money to the amount of twenty thousand (\$20,000.00) dollars for the purpose of establishing and maintaining a free library, then it is made the duty of every such common council to appropriate annually for the support of such public library such sums of money as may be necessary with funds otherwise provided to make the total annual sum applied to such purpose by such city, not less than the sum of five thousand (\$5,000.00) dollars. Any citizen or taxpayer or any contributor to the funds may by action enforce performance of this act.

Covington. The fact having been made known to the general assembly it is hereby declared that in the city of Covington more than the sum of twenty thousand (\$20,000.00) dollars, has by laws heretofore enacted, been accumulated for the establishment and maintenance of a free public library, provided that nothing herein shall be construed as requiring any appropriation to be made by any city in which there is now established a free public library, supported and maintained in whole, or in part by such city.

CITIES OF THE SECOND AND THIRD CLASS

SECTION 3210 b. Trustees. Appointment. Duties. Funds. Contracts for gifts. Andrew Carnegie:

As soon as a sufficient fund for that purpose shall be accumulated under the provisions of this act, augmented by private contributions or otherwise, in any city of the second or third class, there

shall be established and maintained in such city a free public library and in cities of the second and third class, wherein under any act of the general assembly, a free library has been established, the same shall continue as herein provided. Said free public library shall be under the direction and control of a board of seven trustees and such board is hereby declared a body politic and corporate; may contract, or be contracted with, sue and be sued and use corporate seal, may purchase, hold and dispose of real and personal estate, shall have the custody, management and expenditure of all funds for public library purposes. The mayor of the city and the presiding judge of the county court, in case the county contributes annually to the public library shall be ex officio members. The remaining five members shall be appointed by the mayor. After the first appointment their terms to be four years. Not more than four members shall be of the same political party and two members shall be women and five members shall be men. The members shall be citizens and housekeepers not less than thirty years of age; shall serve without compensation and shall each give bond of five thousand (\$5,000.00) dollars. Said board shall have no power to charge any of the property of said corporation with any debt or liability and shall at no time expend any money in excess of the annual appropriation, and should said board attempt to impose any debt or liability or any contract in excess of these provisions, all such contracts and liabilities shall be void, as against the public library, and such members of the board as may vote for such debts, liabilities or expenditures, that many shall be personally liable for the same. Said board shall have power to establish, maintain and conduct said free public library, to adopt rules and regulations. Said library shall be open free to the public under regulations of the board, during reasonable hours and may be closed on Sunday. When there is already established in the city a public or private library, the board of trustees of the public library may enter into an agreement with the association or corporation owning such library, whereby such library may be transferred or leased to said board of trustees for a term of years, or in perpetuity, or united with that established by the city. Said library shall be non-sectarian and non-partisan. The legislative body of the city shall by proper ordinance, provide penalties for the preservation of library property, for the prevention of trespass upon the grounds and for the proper conduct of patrons of said library. All fines and costs collected for the violation of such ordinances shall be paid over to the trustees of the library. For the establishment and maintenance of such library there is hereby appropriated and the general council shall annually direct to be paid over to the trustees of the library three per cent of the net amount of taxes levied annually for county school purposes and one-half of the net amount of all fines and costs collected in the police court and to further aid in the establishment and maintenance

of such public library, the general council of the city and the fiscal court of the county, either or both, jointly or separately are hereby authorized and empowered to accept by ordinance, resolution, order or contract (and if necessary unite with the board of trustees of the public library) any donation that may have been offered or may hereafter be offered by Andrew Carnegie, or any other person, association or corporation and comply with conditions upon which said donations may be offered and accepted and make the terms of said contract perpetually binding upon said city and county and said general council of the city and fiscal court of the county, shall annually levy such special tax as may be necessary to comply with said conditions or terms of contract and to provide the sums of money agreed therein to be paid annually and perpetually for the maintenance of said public library and shall cause the same to be collected as and when other taxes are collected and paid over promptly to the board of trustees of the public library. (1902).

SECTION 3211. Examination of police court and justices' records: Whenever ordered to do so by the mayor, the auditor shall examine the records and proceedings of the police court and all courts of justices of the peace of the city and ascertain and report to the mayor all costs, fees, fines, monies upon judgments or replevin bonds, or other monies that may be due to the city, and the mayor shall see that such steps are taken and proceedings had as may be necessary to have collected and paid into the treasury all such costs, fees, fines, monies due upon judgments or replevin bonds, or other monies that may be due to the city or that may have been collected by any officer or person and not paid into the treasury.

PUBLIC LIBRARIES IN CITIES OR TOWNS OF THE THIRD, FOURTH, FIFTH AND SIXTH CLASSES

SECTION 3480 a:

1. Municipal authorities of any city or town of the third, fourth, fifth or sixth classes shall have power to establish and maintain a public library and reading room or rooms for the use of the inhabitants of said city or town, and for that purpose may levy and collect annually a tax not to exceed ten cents on each one hundred dollars of the assessed value of property therein, subject to taxation.

2. Directors. Appointment:

When it has been determined to establish and maintain such public library or reading room, the mayor of such city, or chairman of the board of trustees, shall, with the approval of the council or trustees, appoint a board of five directors, residents of the city.

3. Terms of office:

The directors first appointed shall hold office two for four years

and one each for three, two and one year. Their successors thereafter shall be appointed for four years.

4. Rules. Meetings:

Directors shall organize by electing one of their number president, and by election of secretary and such other officers as they may deem necessary, shall make rules for their own guidance and for the library.

5. Powers and duties of directors. Library fund:

All revenue and money paid, collected or received, whether by donation, gift, devise, bequest or otherwise, shall be designated as the library fund. It shall be paid into the city treasury, kept separate from other funds. The board of directors shall have exclusive control of the expenditure of all money, construction of any building, the care, custody of grounds, rooms and buildings, shall have power to purchase or lease ground or buildings and to erect buildings, to employ a library staff, fix their compensation and remove them, and in general to carry out the spirit and intent of this act. May order the payment of money upon vouchers certified by president and secretary, may purchase books and other personal property, but all expenditures are limited to the amount to the credit of the library fund in each fiscal year.

6. Library to be free. Traveling library:

Every library and reading room established under this act shall be forever free to the use of the inhabitants of the city where located, subject to reasonable rules and the library board may exclude from the library all persons who wilfully violate such rules. Board may permit non-residents to use the library, may send out traveling libraries in their own or adjacent counties, may contract with the fiscal court in the county in which the library is situated, or with individuals or associations, or with the members of the fiscal court, school board, trustees or common council of any adjacent county, city, town or school district, to loan books of said library, singly or in traveling libraries, to the residents of such county, etc., and the fiscal court, council, board of school trustees of any such county, city, town or school district are empowered to make contracts for such purposes and to pay consideration agreed upon herein.

7. Reports:

Said board shall report annually to the municipal authority of the city, as to the condition of the library property and add a financial report.

8. Ordinances:

The city or town wherein such public library or reading rooms are established, shall have power to pass ordinances for the protection of the library property and impose penalties for injury to, or failure

to return it; they shall have power to grant, donate or authorize the use of any land, square, or real estate belonging to the city for the purpose of erecting a public library building.

9. Donations:

Any person desiring to make donations of money, personal property, or real estate for the benefit of such library shall have the right to vest the title of the property so donated in the board of directors, created under this act, to be held and controlled by such board when accepted according to the terms of the deed, gift, devise or bequest of such property and as to such property the said board shall be held and considered to be special trustees. (Verbatim)

PUBLIC SCHOOL LIBRARIES IN CITIES OF THE FOURTH CLASS

SECTION 3604. Public school library:

Said board of education shall have the power to establish and maintain a public school library out of the funds coming into its hands, except that received by taxation or from the state funds and also to purchase text books for indigent children of the city and to otherwise expend such monies in the interest of the public schools. Such board of education shall have power and right to make rules and regulations governing said school library. (Verbatim)

COUNTY AND DISTRICT (SCHOOL) LIBRARIES

KENTUCKY STATUTES, 1915, VOL. 2, J. D. CARROLL

SECTION 4518. Establishment. Funds:

There shall be a county teachers' library in each county of the commonwealth under the care and in the office of the county superintendent for the exclusive use of the teachers of the county. The sums collected for the purpose at each annual institute and all additional donations shall constitute the county library fund to be kept and accounted for by the county superintendent.

SECTION 4519. Library committee:

The county superintendent as chairman and two persons annually elected by the county institute shall constitute the library committee, for the selection and purchase of books and equipment, and the adoption of rules. The superintendent of public instruction shall supply each library with the publications of his department. The library committee shall keep a record and annually report to the county institute and the county superintendent shall report annually to the superintendent of public instruction.

SECTION 4520. District library.

When by contribution, purchase or otherwise, forty volumes can be collected for such purpose, the district trustees may organize a

district library in connection with the school or district for the use of the district. They may make arrangements for keeping books, etc., appoint a suitable person to take charge and prescribe rules.

SECTION 4521. Trustees. Character of books. Use of library:

The district trustees shall control the library; may receive donations. No book of sectarian, infidel or immoral character shall be placed in the library. Library shall be free to all pupils of suitable age belonging to the schools of the district. Any resident of the district may be entitled to privileges upon such payment as the trustees may prescribe.

PENALTY FOR INJURING BOOKS

KENTUCKY STATUTES, 1915, J. D. CARROLL, VOL. 1

SECTION 1264. Any person who shall wilfully cut or tear out of any book, newspaper, periodical or any literary work or production whatever, any leaf, picture, painting or engraving, or in any other manner mutilate, destroy or injure any such book, newspaper, periodical, or any other literary work or production whatever, kept in any public library, * * * shall be fined not less than twenty nor more than one hundred dollars.

LOUISIANA

STATE LIBRARY

ANNOTATED STATUTES, 1915, R. H. MARR, VOL. 2

SECTION 4238. Establishment:

There shall be established a public library in the state of Louisiana which shall be placed in the state house.

SECTION 4239. Librarian and assistant:

Authorizes secretary of state to employ a librarian and an assistant librarian, who shall each give bond for five thousand (\$5,000) dollars.

SECTION 4240. Salaries:

Provides for salaries of state librarian and assistant librarian.

SECTION 4241. Provides additional assistant.

SECTION 4242. Inventory:

Requires an inventory to be made under the inspection of the secretary of state and state treasurer.

SECTION 4243. Two copies:

Requires two copies of said inventory signed by the secretary of state, librarian and state treasurer; one deposited with the secretary of state and the other with the librarian.

SECTION 4244. Librarian's responsibility:

Librarian shall be responsible for all books and other property.

SECTION 4245. Catalogs:

Requires two classed catalogs, one of books and documents to be preserved and the other of books and documents to be distributed.

SECTION 4246. Regulations:

Secretary of state shall make rules and regulations.

SECTION 4247. Librarian's duties:

Librarian shall attend every day except Sundays and legal holidays and the secretary of state shall remove him for inattention.

SECTION 4248. Library hours:

Library hours 8:00 A. M. to 5:00 P. M. except Sundays and holidays.

SECTION 4249. Librarian's liability:

Librarian, upon retiring from office shall account for all property and in case of inability to do so, shall pay an amount not exceeding the amount of his bond.

SECTION 4250. Free access:

Every citizen of the state shall have free access to the library, provided no book shall be taken out except by the legislature.

SECTION 4251. Exchange of books:

State librarian authorized, under direction of secretary of state to exchange books with other states, with foreign governments and with other institutions.

SECTION 4252. Secretary of state in control:

Secretary of state placed in control and made responsible for the conduct of the library by the librarian.

SECTION 4253 and 4258 inclusive. Distribution and exchange:

Provide for procuring, distributing, owning, preserving, keeping record of, exchanging and disposing of various public documents.

LOCAL PUBLIC LIBRARIES

SECTION 4259. Petition to establish:

Whenever not less than twenty-five citizens of any parish, city, town or other political subdivision of this state shall desire to establish a public library in such political subdivision, they shall address a petition, signed by such petitioners, to the police jury, city council or other governing authority of such political subdivision asking the establishment of a public library.

SECTION 4260. Appropriation of funds:

Upon such petition being favorably acted on by such local governing authority and duly published, if within thirty days from the last date of such publication, a number of citizens equaling or exceeding the number contained in the petition, do not present a written protest signed by such protestants against the establishment of a library, the local governing authority shall have full power and authority to appropriate from any monies in the treasury not otherwise appropriated, a sufficient sum for the erection, creation and equipment of such public library and shall have power and authority to appropriate and provide for the maintenance of such library.

SECTION 4261. Board of control:

The governing authority by the same ordinance as the appropriation for the establishment of the library is made, shall appoint and commission a board of control of not less than five or more than seven citizens, which board of control, after taking oath to faithfully perform their duties, shall be vested with full control and supervision of the erection, establishment, maintenance and equipment of the library. Board of control shall organize by electing from its own members, a chairman, secretary and treasurer. The

treasurer shall furnish bond with good security for an amount not less than the amount of the appropriation.

SECTION 4262. Terms of office. Vacancies:

Board of control shall be appointed for six years, provided that the first board appointed shall consist of six members, two to be appointed for two years, two for four years and two for six years, and provided further, that no officer or member of such board shall receive any remuneration. Said board shall have power to make all rules, have exclusive control of the expenditure of all funds appropriated, donated or acquired in any other way, provided that all sums proposed to be expended, over five hundred (\$500) dollars, shall be first submitted to the governing authority of such political subdivision. Vacancies in said board shall be filled in the same manner as the original members were appointed.

SECTION 4263. Board's control of funds:

Expenditures shall be made upon the warrant of the treasurer, approved by the chairman and countersigned by the secretary. The board shall have power to acquire real estate, the title to be vested in such parish or other political subdivision. The board shall not in any one year create debts for more than the estimated revenues for one year, except property given to such board need not be calculated in the annual estimated revenues.

SECTION 4264. Application:

This act shall take effect from its promulgation and shall not apply to libraries or library boards already in existence, or to cities, towns or villages of over one hundred thousand inhabitants.

PUBLIC SCHOOL LIBRARIES

ANNOTATED STATUTES, 1915, R. H. MARR VOL. 1

SECTION 2664. How established:

Whenever the friends of any individual school or grade of a free school, shall subscribe the sum of ten (\$10) dollars, the school directors shall give an equal sum. The teacher in charge shall be made manager of the library.

SECTION 2665. Selecting books:

State superintendent of public instruction shall furnish a list to such public school library, of books with prices thereof, which have been approved by the state board of education.

SECTION 2666. Same:

The president, secretary of the board and the teacher shall select books from the foregoing list and the board of school directors shall furnish to each library a bookcase.

SECTION 2667. Rules. Report:

The local manager of each library shall carry out the rules established by the state superintendent of public education and shall report annually to him.

SECTION 2668. Subscriptions:

Authorizes the use of additional gifts of money subscribed and additional appropriations conditioned on such subscriptions.

SECTION 2669. Legal title:

The ownership of the library property shall remain in the board of school directors, and the carrying away of books is larceny and the breaking in of the library, burglary.

MAINE

STATE LIBRARY

REVISED STATUTES, 1904, PAGE 63, CHAPTER 3

SECTION 1. Establishment:

All books, documents, manuscripts, archives, and also pictures and other works of art owned by the state, shall constitute the Maine state library and shall be under the management of the librarian.

SECTION 2. Contents:

There shall be procured and kept in the library sets of digests, law reports, and other public documents; works on law, historical works, works on arts and sciences; other publications relating to the financial, social, religious and educational conditions of the world, and more especially of this state.

SECTION 3. Trustees:

State library shall be under the control of the governor and council, as a board of trustees, who may make proper regulations.

SECTION 4. Librarian:

Trustees shall appoint a librarian, who shall hold office for three years and give bond. Librarian shall appoint one assistant.

SECTION 5. Prescribes hours of opening.

SECTION 6. Use of library:

Books may be taken from the library by the governor, and state officers mentioned, and by the members of the legislature during the sessions of the legislature.

SECTION 7. Same:

Under the rules of the trustees, the librarian may lend books and documents to responsible citizens of the state, on payment of transportation.

SECTION 8. Traveling libraries:

Any free library, or any association composed of five or more persons, in a town without a free library, may borrow not to exceed fifty volumes at one time, on the payment of five cents (5c) per volume to cover express and other charges. Such books in turn to be loaned free of charge to the patrons of such free library, or the citizens of the town where such association is located.

SECTION 9. Responsibility for books:

All persons borrowing books from the state library as provided above shall be responsible for the full value thereof in case of loss or damage or for neglect to return. Actions at law, to enforce this liability, may be brought by the librarian.

STATE LIBRARY COMMISSION

SECTION 10. The governor, with the advice and consent of the council, shall appoint four persons as library commissioners, who shall hold their office for the term of four years each. Said commissioners shall serve without pay; they shall encourage the establishment of free public libraries, select the books to be purchased for traveling libraries, and advise the librarian of the state library in reference thereto. (Verbatim)

SECTION 11. Secretary. Traveling libraries:

The librarian of the state library shall be ex-officio a member of the library commission, and secretary thereof. He shall purchase the books selected by the library commissioners for traveling libraries, cause the same to be properly cataloged and placed in proper cases for transportation and use, keep accounts of all expenditures, and such other statistics as the commissioners may require.

SECTION 12. Expenditures. Report:

All expenditures shall be made with the sanction of the governor and council. The commissioners shall report to them yearly.

SECTION 13. Public documents:

Provides that the librarian shall solicit and receive duplicate copies of books and documents, maintain a bureau of exchange, and aid free libraries by gifts of such books.

SECTION 14. Publications in regard to Maine:

Librarian shall collect and preserve histories of towns, counties, and other publications relating to the state.

SECTION 15. Reports:

Clerks of the political sub-divisions of the state, and directors of corporations, shall transmit to the librarian all printed reports.

SECTION 16. Appropriates two thousand dollars (\$2,000) biennially for the purchase of books.

SECTION 17. Catalog:

Trustees shall from time to time cause a catalog to be made and printed.

SECTION 18. Reports:

Librarian shall report to the legislature biennially, in January.

COUNTY LAW LIBRARIES

REVISED STATUTES, 1904, FIFTH DIVISION, CHAPTER 57

SECTION 7. Organization:

Five or more attorneys in any county may organize as trustees of a law library.

SECTION 8. Fund:

All monies received shall be applied to the use of the law libraries.

SECTION 9. Financial statement:

Treasurer shall keep an exact account and deposit a statement in the office of the treasurer of state, annually.

FREE PUBLIC LIBRARIES

REVISED STATUTES, 1904, FIFTH DIVISION, CHAPTER 57

SECTION 10: Establishment. Appropriation:

Any town may establish a free public library, provide rooms therefor and regulate it and may appropriate for its foundation a sum not to exceed two (\$2.00) dollars, and for its maintenance and increase, annually a sum not exceeding two (\$2.00) dollars for each of its ratable polls in the year next preceding. Any town having free public library may establish under the same management, branches, as the convenience of the citizens seem to demand. (As amended, Acts of Legislature, 1909, Chapter 84).

SECTION 11. Village library:

Any village corporation located in a town where no free library exists may establish a library in the manner prescribed in Section 10.

SECTION 12. Contract for use of library. State aid:

Any town may appropriate annually a sum not exceeding the legal limit for maintaining free libraries for the purposes of securing to its inhabitants the free use of a library located in an adjoining town and shall be entitled to receive from the treasurer of state, a sum equal to ten per cent of the amount so raised.

SECTION 13. Cooperation by adjacent towns:

Two or more adjacent towns may unite in establishing and maintaining a free public library with branches thereof in each town for the free use of all the inhabitants of said towns and may appropriate annually for that purpose a sum not exceeding the legal limit for maintaining free libraries.

SECTION 14. State aid:

The municipal officers of any town or city and the assessors of any village having a free public library shall annually in May, certify to the governor and council the amount of money appropriated and expended by said town, city or village, during the preceding year for the purchase of books and for running expenses and the governor with the consent of the council shall draw a warrant on the treasurer of the state for the purchase of books for such library, for a sum equal to ten per cent of the amount certified as expended.

SECTION 15. Association library made public:

Any town or city in which there is a library owned by a corporation or association may appropriate a sum not exceeding two (\$2.00) dollars each for its ratable polls in the previous year, to secure for all its inhabitants free use of such library; such library shall then be considered a free public library within the meaning of this chapter, and shall be entitled to the benefits of the preceding section, provided that the books so purchased shall remain the property of the municipality. (As amended, Acts of Legislature, 1909, Chap. 84).

SECTION 16. Public documents. Report:

The state librarian shall transmit to each free public library all public documents which the town or city is entitled by law to receive and the municipal officers shall transfer to the library all documents in their custody. The officers of the library shall report on or before the first of April each year, a list of books purchased with the stipend of the preceding year. The aid from the state shall be withheld from any library until the report herein required shall have been received, and unless the report shows that the public documents furnished by the state are kept in the library.

SECTION 17. State donation of books:

The state librarian shall donate to any town having no free library, books purchased for that purpose not exceeding fifty per cent in value of books purchased by the town for the purpose of founding the library, no donation to exceed one hundred (\$100.00) dollars and no donation to be made until the town has raised one hundred (\$100.00) dollars.

SECTION 18. Instruction at state library:

Officers of any free public library may ask the governor and council for advice and may receive instruction at the state library in cataloging and other matters.

SECTION 19. Provides that any town may receive gifts for public library.

REVISED STATUTES, 1904, CHAPTER 4

SECTION 89. Land for building:

Any city or town having more than one thousand inhabitants has power to take suitable lands for parks, squares or a public library building, with the consent of the owner.

LIBRARIES AND CHARITABLE ASSOCIATIONS

REVISED STATUTES, 1904, FIFTH DIVISION, CHAPTER 57

SECTION 1. Association provided for:

When seven or more persons desire to be incorporated as pro-

prietors of a social or other library for any literary, scientific, musical, charitable, educational, etc., purpose, they may apply in writing to any justice of the peace in the county, who may issue the warrant asked, to one of such applicants, and require him to call a meeting at such time and place as the justice appoints.

SECTION 2. Form of calling meeting.

SECTION 3. When assembled they may organize into a corporation, adopt a name and become a legal corporation.

SECTION 4. The officers and majority of directors shall certify the organization to secretary of state.

SECTION 5. Such corporation may hold property not to exceed the value of one hundred thousand (\$100,000) dollars.

SECTION 6. No corporation may sue its members for dues or contributions.

MARYLAND

STATE LIBRARY

CONSTITUTION, ART. 7

(In Bagby's Annotated Code, v. 1, p. 87)

SECTION 3. State librarian. Appointment. Salary. Duties:

State librarian shall be appointed by the governor, with the consent of the senate; shall hold office during the term of the governor by whom appointed and until his successor is appointed and qualified. Salary fifteen hundred dollars a year. It shall be the duty of the Legislature to pass a law regulating the library and requiring a bond of the librarian.

BAGBY'S ANNOTATED CODE, v. 2, 1911, p. 1335, ART. LV.

1. State librarian shall take oath.
2. Shall give bond.
3. In case of vacancy governor shall appoint.
4. State library shall be kept in the state house.
5. Prescribes who may take out books.
6. Limits amount of stationery.
7. Provides for the binding of public documents.
8. Disposition of other copies of documents.
9. Provides for delivery of documents to public libraries.
10. Provides for distribution of documents to other state officers.
11. Appropriates five hundred dollars annually for the purchase of books etc.
12. Provides that the judges of the court of appeals may appoint a committee for the purchase of books.
13. Provides that such committee shall make rules for the library.
14. Provides that the judges of the court of appeals shall fill vacancies in the committee.
15. Provides a cataloger for the library.
16. Provides a custodian for the reference books of the library.

MARYLAND PUBLIC LIBRARY COMMISSION

BAGBY'S ANNOTATED CODE, VOL 2, 1911, p. 1742, ART. LXXVII.

SECTION 100. Membership:

The governor shall biennially appoint four, at least two of whom shall be women, and they with the state librarian, superintendent of public instruction and the librarian of the Enoch Pratt Library, shall constitute the Maryland public library commission.

SECTION 101. Organization. No compensation:

Said commission shall elect annually, from their own number, president and secretary; members shall serve without pay, but neces-

sary traveling expenses when away from home may be paid out of the appropriation for the commission. Secretary shall also act as treasurer and give proper bond.

SECTION 102. Duties. Report:

Commission shall give advice and counsel to all public and school libraries in the state and to all persons proposing to establish them, as to establishment, maintenance, selection of books, cataloging and other details. Commission shall report annually to the governor.

SECTION 103. Traveling libraries:

Commission shall organize and conduct traveling libraries throughout the state, make regulations and send out and distribute books, and at suitable intervals change such distribution.

SECTION 104. Appropriation:

State treasurer shall annually on the first day of October pay to treasurer of commission fifteen hundred (\$1,500.00) dollars for the use of commission.

SECTION 105. State aid:

Said commission upon application of the library directors of any county, election district or municipality which has complied with the laws relative to such libraries, may expend not more than one hundred (\$100.00) dollars for books to be delivered to said directors for the purpose of establishing free public libraries.

PUBLIC LIBRARIES

SECTION 106. Establishment:

Boards of county commissioners shall have power to establish free public libraries at county seats of their respective counties with branches as necessary, and the legislative authority of any municipality shall have power to establish libraries in like manner for said municipality.

SECTION 107. Tax:

County commissioners of any county may levy an annual tax not exceeding five cents on one hundred (\$100.00) dollars, tax to be levied and collected as other taxes and known as "Public Library Fund."

SECTION 108. Establishment on petition:

When a majority of voters in any election district petition the county commissioners to establish a public library, said commissioners shall establish such public library in the same manner as an incorporated municipality may establish a library and said commissioners may levy a tax in like manner as is done for the library of an incorporated municipality to the same amount, and said

election district library shall be managed in the same manner as the library of a municipality.

SECTION 109. Library tax in municipality:

The legislative authority of any municipality may levy a tax for public library purposes not exceeding seven cents on each one hundred (\$100.00) dollars, the money so collected to be paid over to the trustees of the library, to be expended as in their judgment, they deem best.

SECTION 110: Library board:

Whenever any board of county commissioners or legislative authority of a municipality shall have determined to establish public libraries and reading rooms, under Sections 100-120, such county commissioners or legislative authority shall appoint for such county, election district or municipality, or board of nine directors, who shall hold office, one-third for two years, one-third for four years and one-third for six years; their successors when their terms expire, to be appointed in the same way for six years. County commissioners or legislative authority may remove any director for inefficiency, misconduct or neglect.

SECTION 111. Vacancies:

Vacancies shall be reported to the county commissioners or legislative authority and be filled forthwith for the unexpired term.

SECTION 112. Organization. Powers:

Directors shall organize by electing officers, shall not receive compensation, shall make rules and regulations, shall have exclusive control of all expenditures, shall have control of buildings and grounds and power to purchase, lease and build, to appoint staff, fix compensation and remove, and in general whatever powers are necessary to carry out the spirit and intent of this act.

SECTION 113. Library fund:

All moneys collected for the libraries shall be deposited in the treasury of the county or municipality to the credit of the library fund and paid upon the demand of the board.

SECTION 114. Libraries free:

Every library and reading room thus established shall be forever free to the inhabitants of the county, election district or the municipality, subject to reasonable rules.

SECTION 115. Penalties:

Every person who shall steal or injure books or other property of the library shall be guilty of a misdemeanor and on conviction, fined not more than one hundred (\$100.00) dollars, imprisoned not more than three months, or both at the discretion of the court.

SECTION 116. Report:

Each library board established under these sections shall report annually to the county commissioners or legislative authority of the municipality, a copy of this report shall be sent annually to the Maryland Public Library Commission.

SECTION 117. Gifts:

Such library boards may receive and hold all gifts made for library purposes and shall act as trustees.

SECTION 118. Public Documents:

Provides that public libraries shall receive certain public documents.

SECTION 119. Exemption from taxation:

Exempts real estate of any library and reading room from taxation.

SECTION 120. The provisions in sections 100 to 120 shall not apply to Baltimore County.

SCHOOL DISTRICT LIBRARIES

BAGLY'S ANNOTATED CODE, VOL. 2, 1911

SECTION 99. District libraries to be established in each school house district under the care of the teacher as librarian. For this purpose ten (\$10.00) dollars annually is ordered paid by the county commissioners out of the state school fund, to any school house district as library money, provided the people of the district raise the same amount annually. Books must be selected from list furnished by the state board of education.

WASHINGTON COUNTY FREE LIBRARY

LAWS, 1898, CHAPTER 317

Authorizes the mayor and council of Hagerstown to contribute annually in perpetuity, one thousand dollars per annum for the maintenance of the Washington County Free Library, and authorizes them to levy and collect a tax for this purpose.

(Note: This was enacted to meet the conditions of a gift for the library building, and, together with an annual appropriation of \$1,500 agreed upon by the county commissioners of Washington county, satisfied the requirement of an annual amount of \$2,500 for current expenses).

ENOCH PRATT FREE LIBRARY OF BALTIMORE

LAWS, 1882, CHAPTER 181

(An act to enable the city of Baltimore to accept a donation from Enoch Pratt)

SECTION 1. Acceptance:

Authorizes the mayor and city council to accept from Enoch Pratt \$833,333.33, and to pay perpetually, forever, to the trustees of the

Enoch Pratt Free Library, \$50,000 annually in equal quarterly payments.

SECTION 2. Trustees. Report:

Appoints by name the trustees, and empowers them to perform the duties of their office, and makes the board self-perpetuating. Requires them to report annually to the mayor and city council.

SECTION 3. Audit:

Provides for an audit of their books and accounts.

SECTION 4. Exemption from taxation:

Provides that the property of the Enoch Pratt Free Library, vested in the mayor and city council, shall be exempt from state and municipal taxes forever.

SECTION 5. Act to be ratified by voters:

Provides that before this act shall take effect it shall be ratified by a majority vote of the legal voters of Baltimore.

LAWS, 1900, CHAPTER 221

SECTION 1. Acceptance of gifts:

Authorizes the Enoch Pratt Free Library to accept gifts, bequests or conveyances; the title to the same to be vested in the mayor and city council of Baltimore, as was the original gift.

LAWS, 1908, CHAPTER 144

SECTION 1. City Appropriation:

Authorizes the mayor and city council to appropriate and pay over such sum or sums as it shall from time to time deem proper, for the equipment and maintenance of the Enoch Pratt Free Library or any other free public library in Baltimore City or the branches of the Enoch Pratt Free Library or of any other free library in Baltimore City. Provided that the title of any such branch be vested in the mayor and city council of Baltimore.

EXEMPTION FROM TAXATION

ANNOTATED CODE, VOL. 3, 1914, ARTICLE 71

SECTION 4. Mentions among the things exempt from taxation libraries, incorporated educational or literary institutions.

MASSACHUSETTS

STATE LIBRARY

REVISED LAWS, 1902, VOL. 1, CHAPTER 10

SECTION 23. Establishment:

There shall be a state library in the state house, which shall be kept open every day excepting Sundays and holidays for the use of the officers of the government and such other persons as may be permitted to use it.

SECTION 24. Trustees:

Library shall be under control of a board of three trustees, one of whom shall be appointed each year for three years.

Note: Acts and Resolves, 1910, Chapter 217, Section 1, additional trustees, adds to the trustees as provided, the president of the senate and the speaker of the house of representatives, ex officio.

SECTION 25. Trustees' duties:

The trustees shall superintend the library and make and enforce the rules for its use.

Note: Acts and Resolves, 1910, Chapter 217,—gives trustees' duties as follows:

SECTION 2. Trustees' duties:

The trustees of the state library shall have the management and control thereof, and of the monies appropriated therefor. They shall keep records of their doings and annually report the same to the general court, with such suggestions for the improvement of the library as they may deem proper.

SECTION 26. Librarian:

The governor shall appoint a librarian, with the consent of the council, who shall hold office during their pleasure.

SECTION 27. Assistants:

Trustees and librarian may employ such assistants as necessary.

SECTION 28. Contents of library:

All books, documents, etc., belonging to the commonwealth, excepting those retained in respective departments, shall constitute the library.

SECTION 29. Appropriation:

Appropriates six thousand five hundred (\$6,500.00) dollars for the library. (See Acts of 1914, Chapter 12, following).

SECTION 30. Report:

Requires an annual report from the librarian.

ACTS OF 1914, CHAPTER 12

Appropriations for state library:

State library appropriations for the financial year ending the 30th day of November, 1914: Salary of librarian, four thousand (\$4,000.00) dollars; books, binding, catalog index, ten thousand (\$10,000.00) dollars; clerical and other services, eleven thousand and ten (\$11,010.00) dollars; incidental expenses, including annual report, two thousand five hundred (\$2,500.00) dollars.

FREE PUBLIC LIBRARY COMMISSIONERS

REVISED LAWS, 1902, VOL. 1, CHAPTER 38

SECTION 11. Membership:

There shall be a board of free public library commissioners consisting of five persons, residents of the county and commonwealth, all appointed annually by the governor with the consent of the council for a term of five years. The governor shall designate the chairman thereof.

SECTION 12. Expense:

No member shall receive compensation; but the board may expend annually five hundred (\$500.00) dollars for expense; shall report annually to the general court.

SECTION 13. Advice:

The board shall advise librarian or trustees of any public library in regard to all library matters.

SECTION 14. Appropriation:

Upon the application of the library trustees of a town which has complied with the provisions of sections 16 and 17, said board may expend not more than one hundred (\$100.00) dollars for books for the purpose of establishing a free public library in said town.

SECTION 15. Branches or delivery systems:

For a town the valuation of which is not more than six hundred thousand (\$600,000.00) dollars, which has a free public library, and has complied with the laws relative thereto, and which will provide for the distribution of books by branch libraries or deliveries, the board may expend for the benefit of such town not more than one hundred (\$100.00) dollars for each branch.

SECTION 16. Condition:

A town shall not be entitled to the benefit of the preceding section until it has complied with the legal provisions and made satisfactory provision for the distribution of the books furnished.

SECTION 17. Appropriation. Dog tax:

Such town shall, if its last valuation was one million (\$1,000,000.00) dollars or over, annually appropriate from the dog tax, or otherwise provide, for the use of this library, not less than fifty (\$50.00) dollars; if such was less than one million (\$1,000,000.00) dollars but not less than two hundred and fifty thousand (\$250,000.00) dollars,—twenty-five (\$25.00) dollars; if less than two hundred and fifty thousand (\$250,000.00) dollars,—not less than fifteen (\$15.00) dollars.

SUPPLEMENT TO REVISED LAWS, 1906, CHAPTER 38

SECTIONS 14-17. Appropriation. Duties of commissioners:

Board of free public library commissioners may annually expend a sum not exceeding four thousand (\$4,000.00) dollars in aid of free public libraries, especially in those towns the valuation of which does not exceed six hundred thousand (\$600,000.00) dollars. Such aid may include the furnishing of books in small quantities, visits to libraries, instruction to librarians and such other means of encouraging and stimulating such small libraries as said commissioners deem advisable. Provided that full detail of expenditures under this act shall be printed in the annual report of the commissioners. (As amended—1913, Chapter 316).

Appropriations:

Acts of 1914, Chapter 75, makes the following appropriations for the free library commission for the year ending November 30, 1914, to-wit:

For the salaries of said commissioners, one thousand six hundred (\$1,600.00) dollars; for salaries and expenses of an agent to direct educational work among aliens, a sum not exceeding two thousand (\$2,000.00) dollars; to promote the establishment and efficiency of free public libraries, a sum not exceeding four thousand (\$4,000.00) dollars; for clerical assistance and incidental expenses, a sum not exceeding three thousand (\$3,000.00) dollars; for printing and binding of report, a sum of not exceeding three hundred and fifty (\$350.00) dollars.

ACTS OF 1913, CHAPTER 668

SECTION 1. Educational work for aliens:

The board of free public library commissioners may, with the consent of the governor and council, appoint an agent or secretary to

direct educational work for the benefit of the alien population of the commonwealth, at such salary, not exceeding two thousand (\$2,000.00) dollars, as the governor and council may approve. Said agent may at any time be removed by the board. In the case of vacancy, temporary substitutes may be engaged.

CITY AND TOWN LIBRARIES

REVISED LAWS, 1902, VOL. 1, CHAPTER 38

SECTION 6. Establishment:

A city or town may establish and maintain public libraries for the use of its inhabitants, under regulations decided by the city council or by the town, and may receive, hold and manage any gift, bequest or devise for such library. City council may place in such library public documents.

SECTION 7. Trustees:

A town which supports a free public library owned by the town shall, unless the same has been acquired entirely or in part by gift or bequest which contains other conditions for its care and management, which have been accepted by the town,—elect by ballot a board of trustees consisting of any number of persons male or female divisible by three which the town determines to elect; when such board is first chosen, one-third for one year, one-third for two years, and one-third for three years,—and thereafter one-third annually for three years. The board shall annually choose a chairman and secretary and, if the board directs, a treasurer; town treasurer shall act as treasurer for the board until town otherwise directs.

SECTION 8. Duties of board:

The board shall have the custody and management of the library and reading room and of all property owned by the town relating thereto. All money raised or appropriated by the town for its support and maintenance shall be expended by the board, and all money or property which the town may receive by gift or bequest for said library and reading room shall be administered by the board in accordance with the provisions of such gift or bequest.

(Verbatim)

SECTION 9. Report:

The board shall make an annual report to the town.

SECTION 10. Provisions of the three preceding sections shall not apply to library associations nor to a library organized under a special act.

REVISED LAWS, 1902, VOL. 2, CHAPTER 208

SECTION 83. Penalties:

Provides that whosoever wilfully, intentionally and without right, or wantonly and without cause, writes upon, injures, defaces, tears or destroys, a book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statue which belongs to a law, city, town or other public or incorporated library, shall be punished by a fine of not less than five (\$5.00) nor more than fifty (\$50.00) dollars, or by imprisonment of not more than six months.

SECTION 84. Penalties:

Provides that whosoever detains wilfully a book, newspaper, etc., which belongs to a law, city, town or other public or incorporated library, for thirty days after due notice, shall be punished by a fine of not less than one (\$1.00) dollar and not more than twenty-five (\$25.00) dollars, or by imprisonment for not more than six months.

REVISED LAWS, 1902, VOL. 1, CHAPTER 38

SECTION 1. Associations, etc., already established:

Library corporations or associations which have been legally established shall continue to have all the powers and privileges and to be subject to all the duties and restrictions attached thereto.

LAW LIBRARIES

REVISED LAWS, 1902, VOL. 1, CHAPTER 38

SECTION 2. Establishment:

Attorneys at law admitted to practice, residents in counties for which there is no law library association, may organize as the law library association for such county and adopt by-laws, subject to the approval of the supreme court.

SECTION 3. Use of library:

The inhabitants of the county shall have access to the library, and may use the books therein, subject to the provisions of the by-laws.

SECTION 4. Maintenance:

County treasurers shall annually pay to law library associations in their respective counties all sums paid into the county treasuries during the year by the clerks of courts, to an amount not exceeding two thousand (\$2,000.00) dollars in any one year. They may also pay such further sums as county commissioners may consider necessary. Such sums shall be applied to maintain and enlarge such libraries. The treasurer of the law library association shall give bond.

SECTION 5. State publications:

Each law library association shall be entitled to receive all state publications.

INTER-LIBRARY LOANS

ACTS AND RESOLVES, 1911, CHAPTER 140

An act to enlarge the usefulness of the free public library system.

SECTION 1. Any free public library may lend its books or other material to any other free public library in any city or town, upon such conditions as may be made in writing. Any city or town may raise money to pay the expenses of so borrowing library books and material. Nothing herein contained shall be construed to restrict or modify any power which any city or town now has to loan to or permit the use of its books by, persons not citizens of such city or town.

SPITTING

SUPPLEMENT TO REVISED LAWS, 1906, CHAPTER 213

SECTION 1. No person shall expectorate or spit * * * * , in any public library, museum * * * *

SECTION 2. Penalty:

Whoever violates any provision of this act shall be punished by a fine of not more than twenty (\$20.00) dollars.

EXAMINATION AND REGISTRATION OF LIBRARIANS

GENERAL ACTS, 1915, CHAPTER 106

SECTION 1. Appointment of librarians by commission:

The free public library commission is authorized to determine, by examination or by such rules as it may establish, the selection and appointment of supervising librarians and all other library workers who are paid wholly or in part from the treasury of the commission.

SECTION 2. Registration:

The board of library commissioners shall keep a registry of librarians, which shall give due credit for experience and successful accomplishment as well as for formal examination, in order to assist trustees who seek advice in securing librarians and assistants.

MICHIGAN

STATE LIBRARY—TRAVELING LIBRARIES

HOWELL'S ANNOTATED STATUTES, 1913, VOL. 4

- SECTION 627. Establishes state library in the capitol.
- SECTION 628. Provides a committee to make library rules.
- SECTION 629. Provides for the appointment, term, duties and salary of the state librarian.
- SECTION 630. Librarian shall give receipt and bond for property.
- SECTION 631. Gives governor power to remove and appoint, ad interim, successors.
- SECTION 632 and 633. Provide for assistant librarian and additional assistants.
- SECTION 634. Requires clearance from the State Librarian before state employees shall receive final settlement of pay.
- SECTION 635. Authorizes exchange of books, statutes, journals, etc., with other libraries and institutions, and for sale of duplicates.
- SECTION 636. Provides for appropriation.
- SECTION 637 to 642. Provide that libraries in the state having not less than one thousand volumes may become associate libraries and borrow books from the state library.
- SECTION 643. Appropriates two thousand five hundred (\$2,500.00) dollars for the purchase of books for Michigan traveling libraries.
Note: In 1913 five thousand (\$5,000.00) dollars annually was appropriated for 1913 and 1914.
- SECTIONS 644 to 647. Changes in salaries and repealing section.
- SECTIONS 653 to 654. Loans to women's study clubs:
Provides for registration of women's study clubs and authorizes loan of books to same by state library.
- SECTIONS 655-658. Grange libraries:
Provide for registration, annual report of, and loan of books to grange libraries; also for advice from State Librarian. Such grange libraries to be barred from privileges herein given in case of failure to comply with requirements.

PUBLIC ACTS, 1915

- No. 29. File and exchange of public acts:
Provides for copies of public acts to be furnished to libraries in state and for 200 copies of same to be deposited in State Library for use and for exchanges.

No. 165. Appropriation. Printing and binding:

Appropriates five thousand dollars for the year ending June 30, 1916, and the same amount for the year ending June 30, 1917. Provides that the printing and binding necessary to carry on the work of the state library and traveling libraries shall be furnished by the board of state auditors and paid for out of the general fund.

No. 232. File and exchange of state laws:

Provides that copies of compiled laws of Michigan, 1915, be furnished to libraries in state and that 200 copies be deposited in State Library for use in said library and for exchanges.

LEGISLATIVE REFERENCE DEPARTMENT

HOWELL'S ANNOTATED STATUTES, 1913, VOL. 4

SECTION 659. Creation. Location:

There is hereby created and shall hereafter be maintained in connection with the state library a legislative reference information department for the use of members of the legislature, and members of the several state departments and such other persons as may desire to consult it. It shall be located in the state capitol.

SECTION 660. Staff:

State librarian shall appoint an assistant who shall have charge of said department under his supervision, and also another assistant as clerk.

SECTION 661. Information. Drafting bills:

Said assistant in charge shall make available public documents, keep a complete file of printed bills, and make available information as to proposed legislation in other states; investigate the operation of new legislation in other states and countries; give such advice and assistance to the members of the legislature as they may require in the preparation of bills and resolutions, and shall draft bills upon such subjects as they may require.

SECTION 662. Filing bills, etc.:

After each session of the legislature the secretary of the senate and the clerk of the house shall turn over to the legislative reference department copies of bills, resolutions and all important legislative documents.

SECTION 663. Supplies:

Board of state auditors shall furnish equipment and supplies, on requisition of state librarian. Printing and binding shall be done as part of the state printing and binding.

SECTION 664. Tax levy:

Makes an appropriation for the support of the department.

BOARD OF LIBRARY COMMISSIONERS

SECTION 648. Appointment. Terms:

Governor shall appoint, with the consent of the senate, four residents of the state, who with the state librarian shall constitute a board of library commissioners, two members for four years and two for two years, and thereafter the term of office shall be four years. Vacancies shall be filled by the governor with the consent of the senate.

SECTION 649. Duties. Report:

Shall give advice and counsel to all free libraries in the state and to all communities proposing to establish them, as to the best means of establishing and administering such libraries, the selection of books, cataloging and other details. The board shall report annually to the governor; one thousand copies shall be printed of this report.

SECTION 650. Free libraries report to commission:

All free libraries organized under the laws of the state shall make an annual report to the board of library commissioners.

SECTION 651. Compensation. Expenses:

No library commissioner shall receive compensation except that one member may act as secretary and receive for such services a sum not to exceed three hundred (\$300.00) dollars annually. The board shall be entitled to a sum not to exceed five hundred (\$500.00) dollars annually for actual necessary expenses.

Amendments. This was amended April 24, 1913, public act No. 114 authorizing the expenditure of five thousand five hundred (\$5,500.00) dollars annually for conducting library institutes and training schools, for traveling expenses of council and other necessary expenses. An appropriation of five thousand five hundred (\$5,500.00) dollars was voted for 1913 and a like amount for 1914. Public Acts, 1915, No. 95, appropriated \$5,500 for each of the fiscal years ending June 30, 1916 and June 30, 1917.

PUBLIC LIBRARIES

CONSTITUTION OF MICHIGAN, ARTICLE 11

SECTION 14. Establishment. Use of fines:

The legislature shall provide by law for the establishment of at least one library in each township and city and all fines assessed and collected in the several counties, cities and townships for any breach of the penal laws shall be exclusively applied to the support of such libraries.

HOWELL'S ANNOTATED STATUTES, 1913, VOL. 4

SECTION 9967. Township and city libraries:

Provides for the maintenance of township or city libraries under the township board or the board of education. Provides for the transfer of such libraries to the various school districts; provides, that when the township is organized as the township school district, the control of the library shall pass from the township board to the township board of education.

SECTION 9968. Provides that all residents shall have free use of library.

SECTION 9969. Provides for the control of the appropriations.

SECTION 9970. Makes board responsible for all property.

SECTION 9971. Provides for the appointment of a librarian and the enactment of rules for a township library.

PUBLIC ACTS, 1913, No. 261

Authorizes boards of education to provide for the maintenance of free public libraries; to raise or borrow money, to purchase property, to erect and maintain buildings for free libraries and other educational purposes.

SECTION 1. Maintenance:

Boards of education in cities where free public libraries are under control of said boards, are authorized to include in their annual estimate, a sum sufficient to properly care for and defray the expense of maintenance and purchase of books.

SECTION 2. Funds. Buildings:

Boards of education having control of free public libraries are authorized to raise money, either by including the amount in their annual estimates or to borrow the same on the faith and credit of said school district, to purchase property for a site and to erect, equip and maintain a building for a free public library and other educational purposes.

HOWELL'S ANNOTATED STATUTES, 1913, VOL. 4

SECTION 10120. Power to maintain. Tax:

The city council of each incorporated city shall have power to establish and maintain a public library and reading room for the use of the inhabitants of such city, may levy a tax not to exceed one mill on the dollar, said tax to be known as the "Library Fund."

SECTION 10121. Directors:

When any city council shall decide to establish a public library, the

mayor shall with the approval of the council appoint nine directors, citizens, and not more than one member of the council shall at any one time be a member.

SECTION 10122. Terms of office:

Said directors shall hold office, one-third for one year, one-third for two years and one-third for three years and their successors thereafter appointed in the same way, shall hold office for three years. Mayor may, with consent of council, remove any director for misconduct or neglect.

SECTION 10123. Vacancies:

Vacancies occasioned by removals, resignations or otherwise, shall be filled in like manner as original appointments. No director shall receive compensation as such.

SECTION 10124. Organization. Powers:

Directors shall organize by the election of officers, shall make rules and regulations, shall have exclusive control of the expenditure of all monies, of the construction of buildings, supervision of the grounds, rooms or buildings; provided, that all monies received for such libraries shall be deposited with the treasurer of the city to the credit of the library fund and drawn upon by the properly authenticated vouchers of the library board. Such board shall have power to purchase or lease grounds, erect or lease buildings, to appoint a staff, fix their compensation, to remove such appointees and shall in general carry out the spirit and intent of this act.

SECTION 10125. Libraries to be free:

Library and reading room established under this act shall be forever free for the use of its inhabitants where located, subject to reasonable regulations.

SECTION 10126. Report:

Said directors shall report annually to the city council.

SECTION 10127. Ordinances to protect property:

Said council shall have power to pass ordinances imposing suitable penalties for the punishment of persons injuring library property or failing to return library books.

SECTION 10128. Donations:

Donors shall have the right to vest title of donations in said board of directors, who shall be held as special trustees.

SECTION 10129. Establishment by petition:

Provides that on the petition of fifty voters in any incorporated village or township, the question of a library shall be submitted to

the voters at any election, and gives form of establishment in case a favorable vote is had.

SECTION 10130. Form of ballot, etc.:

Gives details as to the form of holding election, provided for in Section 10129 and provides for levying the tax.

SECTION 10131. Temporary and permanent boards:

Provides for the appointment by the council of the temporary library board and the election by the people, later, of a permanent board.

SECTION 10132. Application of act:

This act does not apply to cities or villages containing a population of over ten thousand, or to any city or village maintaining a public library under any special act.

SECTIONS 10133, 10134 AND 10135. Townships may unite:

Provide for the union of two adjacent or adjoining townships to provide a library for the use of both under practically the same conditions as in the previous sections.

SECTION 10136. Villages, townships and cities may join:

Permits villages to join with townships in the same way, or either to join with cities.

SECTION 10137. Distribution of books:

Authorizes state librarian to distribute free to districts where they may be needed, books withdrawn from traveling libraries on account of their worn condition.

SECTION 10138. Report:

Makes it the duty of the librarian of any public library to report annually to the county commissioner of schools.

SECTION 10139. List of libraries:

Makes it the duty of the county commissioner of schools in each county to report the list of all libraries in his county to the state board of library commissioners, annually.

SECTION 14691. Penalty for injuring property:

Any person who shall wilfully injure a book or property belonging to a public library shall be deemed guilty of misdemeanor and on conviction, fined not less than two (\$2.00) dollars or more than one hundred (\$100.00) dollars, or imprisoned for not more than sixty days.

SCHOOL DISTRICT LIBRARIES

HOWELL'S ANNOTATED STATUTES, 1913, VOL. 4

SECTION 9972. Establishment:

Provides for the organization of a school district library.

SECTION 9973. Makes district board of education responsible for all property.

SECTION 9974. Report:

Makes it the duty of the township clerk or the district board of education to report annually, to the state superintendent of public instruction.

SECTION 9975. Failure to report:

Makes failure to report cause of forfeiture of library money distributed by state.

SECTION 9976. Number of children in county to be reported:

Superintendent of instruction shall send clerk in each county a statement of the number of children between five and twenty in each district, shall file such statement and furnish copy to county treasurer.

SECTION 9977. Fines used for library support:

Proceeds of all fines for any breach of the penal laws of the state when collected in any county, shall be apportioned by the county treasurer, in accordance with the directions of the superintendent of public instruction as provided in the preceding section, among the several townships, districts, township districts, villages and cities, which money shall be applied exclusively to the support of libraries and to no other purpose.

SECTION 9978. Tax:

Qualified voters in any school district or township may vote authorizing a tax for the support of the library.

SECTION 9979. Books:

Authorizes district board to sell or give library books belonging to the district, to a township or city board.

MINNESOTA

STATE LIBRARY

CONSTITUTION, ARTICLE 5, IN STATUTES, 1913, P. 2083

SECTION 4. Appointment of librarian:

Among other powers and duties of Governor, provides for his appointment of state librarian, with advice and consent of the Senate.

STATUTES, 1913

SECTION 130. Justices to govern library. Rooms:

Provides state library shall be maintained under the supervision of the justices of the supreme court; that they shall direct such purchases of books, pamphlets, and documents therefor, and such sales and exchanges therefrom, as they may deem best. They shall adopt rules for the government of the library and the management of its affairs, and prescribe penalties for their violation, which rules shall be conspicuously posted in the library rooms.

SECTION 131. Librarian and assistants. Term. Bond:

Term of the state librarian appointed by the governor shall be two years and until his successor qualifies. He shall give bond for at least two thousand dollars. He may appoint an assistant librarian to serve during his term, who shall perform his duties when he is absent or disabled, but such appointment shall not take effect until approved by the justices. He may also employ from time to time, with the approval of the justices, such clerical and other assistance as may be necessary, and for whose compensation provision shall have been made by law.

SECTION 132. Duties of librarian:

Librarian to have general charge of library under direction of the justices.

SECTION 133. Records. Accounts:

Librarian to keep record of additions to library, also of sales; to keep accounts and to pay all moneys collected into the treasury, to be added to the library appropriation for the current year.

SECTION 134. Public documents:

All official publications of the United States, and of other states and countries, which are received for the use of this state by any officers thereof, shall be deposited in the state library forthwith; and two copies of each official book or pamphlet issued by the state shall be preserved therein.

SECTION 135. Janitor service:

Provides janitor of court rooms shall care for state library rooms.

SECTION 294. Salaries:

Provides among other salaries in the judicial department, three thousand dollars (\$3000) for state librarian; one thousand, eight hundred dollars (\$1800) for assistant librarian; twelve hundred dollars (\$1200) for second assistant librarian; nine hundred dollars (\$900) for clerk.

SECTION 4937. Printing:

Mentions, among documents to be printed by the state printer, reports of the state librarian.

SECTION 8419. Copies of decisions, etc., certified by the librarian:

Copies of judicial decisions contained in any of the law or equity reports in the state library, * * * certified by the state librarian, shall be received in evidence in like manner and with like effect as the originals. For making and certifying any such copy, the librarian shall be entitled to charge fifteen cents a folio.

LIBRARY COMMISSION

GENERAL STATUTES, 1913

SECTION 4911. Members. Terms:

State public library commission shall be composed of the president of the state university, state superintendent of public instruction, secretary of state historical society, each ex-officio and two other members to be appointed by the governor, each for a term of six years. Vacancies shall be filled by like appointment.

SECTION 4912. No compensation:

No commissioner shall receive any salary or compensation but each shall be paid expenses necessarily incurred in performing the duties in connection with the work of the commission.

SECTION 4913. Purchase of books:

Commission may purchase collections of books to be used as a state circulating library, from which any town, village or community may borrow. It shall divide such collections into groups as traveling libraries, catalog and prepare them for circulation and make rules for the conduct of the business. Suitable rooms shall be provided in the capitol.

SECTION 4914. Advice:

Said commission without charge, shall give advice and instruction to any public library, to any village, town or community entitled to borrow from said collections, upon matters pertaining to organization, maintenance and administration of libraries. It shall assist by counsel and encouragement in the formation of libraries.

SECTION 4915. Statistics. Reports. Disbursements.

Commission shall keep statistics of public libraries of the state and a record of its own work and report same at each regular session of the legislature, with a statement of expenditure. Upon presentation of itemized vouchers, approved by at least three members of the commission, the state auditor shall issue his warrants for all proper expenditure hereunder.

STATE UNIVERSITY LIBRARY

SECTION 3055. State publications:

The general library of the University of Minnesota is hereby made depository of all books, pamphlets, documents, maps and other works published by or under the authority of the state of Minnesota.

SECTION 3056. Duty of state officials:

This section makes it the duty of the secretary of state and all other officials having custody and distribution of publications to deliver to the library five copies of the legislative manual, one copy of all other publications and additional copies, in their discretion, as requested by the librarian.

CLASSIFICATION OF CITIES

SECTION 1339. How classified:

Cities are hereby divided, for legislative purposes, into classes as follows:

First class those having more than fifty thousand inhabitants. Second class those having twenty thousand and not more than fifty thousand. Third class those having more than ten thousand and not more than twenty thousand.

Fourth class those having not more than ten thousand inhabitants.

PUBLIC LIBRARIES AND READING ROOMS

SECTION 4916. Establishment. Maintenance. Tax:

The governing body of any city or village, may establish and maintain a public library and reading room, or either of them for the use of its inhabitants, and by ordinance may set apart for the benefit thereof, real estate or other public property of the municipality. In villages and cities of the second, third and fourth classes it may levy an annual tax of not more than three mills and in cities of the first class of not more than one mill on the dollar of all taxable property therein, the proceeds of which shall be known as the library fund.
(Verbatim)

SECTION 4917. When established by vote. Existing libraries:

If such library or reading room be not otherwise established, the governing body of the municipality upon the petition of fifty free-

holders thereof, shall submit the question of such establishment to the voters at the next municipal election. If two-thirds of the votes cast on said question be in the affirmative, the governing body shall establish the library and reading room and levy a yearly tax for its support within the limits fixed in Section 4916.

All public libraries and reading rooms heretofore established and now existing in cities or villages are continued and all ordinances setting apart public property for their support, are hereby confirmed. Nothing in this chapter shall be construed as abridging any power or duty in respect to libraries conferred by any city or village charter.

(Verbatim)

SECTION 4918. Directors. Term. Removal:

When any such library or reading room has been established, the mayor of the city or president of the village, with the approval of the council shall appoint a board of nine directors, not more than one of whom shall at any time be a member of any such governing body. One-third of the members shall hold office for one year, one-third for two years and one-third for three years, and annually thereafter the mayor or president shall appoint three directors for a term of three years. Such mayor or president by consent of the council may remove any director for misconduct or neglect.

SECTION 4919. Vacancies. No compensation:

Vacancies in the board shall be reported to the council and filled by like appointment. Directors shall receive no compensation for their services as such.

SECTION 4920. Organization. Rules:

The board shall organize by electing one of its members president, one secretary and may appoint such other officers and employees as it deems necessary. The secretary shall give bond; the board shall adopt by-laws and regulations for the government of the library and for the conduct of its business. It shall have exclusive control of the expenditures of all moneys placed to the credit of the library fund; of the construction of library buildings, of grounds, rooms and buildings provided for library purposes. All moneys received for such library shall be paid into the city or village treasury credited to the library fund, separate from other moneys and paid out only upon itemized vouchers approved by the board. Board may lease rooms, fix compensation of employees, remove any of them at pleasure. With the approval of the council board may purchase grounds, and erect a library building thereon.

SECTION 4921. Non-residents. Contracts to loan books. Tax:

Board may admit to the benefits of the library non-residents under such regulations as it may prescribe. Board may contract with the

county commissioners of the county in which the library is situated, or in adjacent counties or with the governing board of any neighboring town, city or village, to loan books singly or in traveling libraries to the residents of such county, town, city or village upon such terms as shall be agreed upon. Such boards or officers shall have power to contract with the directors of any free public library for the use of said library by the people of the county, town, city or village, not having already established a free library, upon such terms as those granted to the residents in the city or village where the library is located and to pay such library board such amount annually as may be agreed upon therefor, and such county, town, city or village board may establish a library fund by levying an annual tax of not over one mill on the dollar on all taxable property outside of any city or village wherein a free public library is located or which is already taxed for the support of any such library.

SECTION 4922. Directors now in office. Report:

The directors of any such library or reading room in office under existing laws shall so continue until the expiration of their terms, but their successors shall be appointed and vacancies filled under the provision of this chapter. The board shall report annually to the governing board of the municipality. A copy of such report shall be filed with the state library commission, but nothing in this section shall apply to libraries in cities of the first class.

SECTION 4923. Title to property given. Libraries free:

All property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any municipality for a library or reading room, shall vest in and be held in the name of, such municipality and any conveyance, grant, donation, devise, bequest or gift made to or in the name of, any public library or library board, shall be deemed to have been made directly to such municipality. Every library and reading room established under this chapter shall be forever free to the use of the inhabitants of the municipality, subject to such reasonable regulations as the directors may adopt.
(Verbatim)

SECTION 4924. Acceptance of, and contracts for maintenance of gifts:

With the consent of the governing body of any city or village, expressed by ordinance or resolution and within the limitations of this chapter, as to the rate of taxation, the library board may accept any gift, grant, devise or bequest made or offered by any person for library purposes, or for the establishment, enlargement or maintenance of an art gallery or museum in connection with its library and may carry out the conditions of such donation, and the muni

city in all such cases is authorized to acquire a site, levy a tax and pledge itself by ordinance or resolution to a perpetual compliance with all the terms and conditions of the gift, grant, devise or bequest so accepted; all ordinances adopted in reference to such donations, prior to the taking effect of the revised laws, are hereby legalized and confirmed. (Verbatim)

SECTION 4925. Gifts to villages or cities having less than fifty thousand inhabitants. Site. Tax.

That whenever any incorporated city or village in this state having a population of less than fifty thousand, shall receive from any person, company, or corporation a proposition to build, erect or construct a public library building, or to give or donate a sum of money for the purpose of the construction and erection of such public library building, the erection and construction of which public library building or the donation of which sum of money for such purpose is conditioned upon the securing by such city or village of a site for such public library building as an annual tax or appropriation by such city or village for the maintenance of such library; that said city or village and the councils and governing bodies thereof, be and they hereby are authorized to secure and take title to such tracts or parcels of land as they deem necessary and suitable for the site of such public library building and by ordinance or ordinances to be passed and enacted as other ordinances of said village or city are required to be passed and enacted to pledge such city or village and the governing bodies thereof to annually thereafter, levy and appropriate for the purpose of maintenance of such public library a sum not exceeding two mills on the dollar of and on all the taxable property of such city or village. All ordinances so enacted, pledging such city or village to whom such proposition for the erection of a public library building or the donation of money therefor shall be made, to the annual appropriation of a sum of money not exceeding two mills on the dollar on the taxable property of such city or village, be and the same are hereby authorized, legalized and validated, anything in the laws or statutes of the state of Minnesota or the special laws or statutes under which any of such cities or villages are incorporated to the contrary notwithstanding. And the city council or governing body of such incorporated city or village is hereby authorized and empowered to levy such tax for the support of such library property not to exceed in any one year, two mills on the dollar on all the taxable property of such city or village for the maintenance of such library. (Verbatim)

(Note: Section 4925 repeats verbatim the first section of Chapter 93 of the laws of Minnesota for 1901, except that it makes the limit of the levy two mills instead of one and one-half on the dollar. Chapter 93 of the laws of 1901, consisted of three sections and was repealed by Section 9554 of the general statutes of 1913).

LAW LIBRARIES

SECTION 4926. Law libraries:

In counties having a population of two hundred thousand or more, the district court may require county board or other board in charge of the court house, to provide rooms therein for the uses of a law library whenever the owner of any such library shall offer to furnish and maintain the same for a term of at least ten years; to give free use thereof to all judges of courts in the county, to all city and county officials having offices at the county seat. Upon petition therefor, the court shall arrange a hearing at which the court shall inquire as to the character of the library offered and the ability of its owner to carry out the terms of the offer and shall hear any attorneys who may appear to oppose such petition. If satisfied that such library should be installed the court shall make an order therefor, directing suitable rooms to be provided in the court house with necessary light, heat and janitor service and require the county board and city council to appropriate annually not less than twelve or more than fifteen hundred dollars for the salary of the librarian and other necessary expenses, which sum shall be apportioned between the city and county. The owner shall retain the title and management of the library, appoint the librarian and make rules for the use, except that no such rules shall restrict the access of public officials thereto, unless the same are approved by the judge. The library shall be maintained by the owner in reasonable repair and efficiency and upon failure to so do the court may cancel any or all orders made hereunder and require the library to be removed.

SECTION 4927. Balances on deposits:

Provides that balances on any deposits made with the clerk of any district court as security for fees which are not withdrawn for three years shall become the property of any bar association, individual or corporation by whom such law library has been installed.

SECTION 4928. Same:

For the purpose of this act an action or proceeding shall be deemed terminated when no step shall have been taken to prosecute such action for a period of three years.

SECTION 4929. Law libraries in counties having one hundred thousand inhabitants:

In any county having a population of one hundred thousand or over, the county board or other body in charge of the court house is authorized to provide rooms therein, for the use of such law libraries, and such county board or other body may install such libraries therein, by purchasing, leasing or securing same from an individual or association upon such terms as to them shall be deemed to the interest of the people.

LIBRARIES IN VILLAGES

SECTION 1268. Villages:

A village council shall be composed of five members of whom three shall be a quorum and shall have power to adopt, amend or repeal all such ordinances, rules and by-laws as it shall deem expedient for the following purposes: * * *

14. Libraries:

To establish and maintain public libraries and reading rooms, purchase books and periodicals therefor and make needful rules for the safekeeping and handling of the same. * * *

SCHOOL LIBRARIES

SECTION 2949. Book lists:

The state high school board shall from time to time prepare and amend a list of books suitable for school libraries, including dictionaries, reference books, works on history, biography, literature, economics, agriculture, travel and science.

SECTION 2950. State aid:

Upon receiving from any district a certificate approved by county superintendent showing purchase of books from foregoing list, appointment of a librarian, and proper arrangements for the care and use of the library, the state auditor shall upon requisition pay one-half the purchase price, not exceeding twenty dollars (\$20) in the first year and ten dollars (\$10) in any subsequent year, for each separate school so furnished.

Provided that any school board may agree with any public library board for a specified period to become a branch of said public library and to receive books from it, in which event the school board may turn over to the public library all books not needed for reference in the school, and may pay to the library board the money provided by the school district and by state aid. All books to be selected from the state list. Such agreement shall be approved by superintendent and public library board, who shall make rules.

MISSISSIPPI
STATE LIBRARY

CODE, 1906

- SECTION 4717. Provides for the appointment of a state librarian.
- SECTION 4718. Prescribes library hours.
- SECTION 4719 to 4722 inclusive. Prescribe the duties of the librarian.
- SECTION 4723 to 4725 inclusive. Board of trustees.
- SECTION 4726. Provides for an assistant librarian.
- SECTION 4727. Specifies duties of the librarian as secretary of the board of trustees.
- SECTIONS 4728 to 4732. Provides rules for the use of books.
- SECTION 4733. Method of purchasing books.
- SECTION 4734. Contingent expenses.
- SECTION 4735. Sale of surplus copies.
- SECTION 4736. Inventory at the close of the term of librarian.

COUNTY LIBRARY

CODE 1906

- SECTION 4642. Acts and journals distributed:
Provides that the acts and journals of each session of the legislature shall be distributed to a large number of officers and institutions and among them the sheriff of each county, for the county library.
- SECTION 4643. Provides for distribution of the acts of the legislature.
- SECTION 4644. Provides in like manner for the distribution of departmental reports and that a copy of each shall go to the sheriff of each county, for preservation in the county library.
- SECTION 4645. Provides in the same way that a copy of each volume of the Mississippi reports shall go to the sheriff of each county, for a county library.
- SECTION 4648. Provides that acts of Congress and other books and papers distributed by the secretary of state shall go to the sheriff of each county for the county library.
- SECTION 4685. County librarian:
Provides that the sheriff shall be the custodian of the books belonging to the county and shall keep them in a suitable safe book-case in the court-house, shall keep them well bound in leather or stiff boards

with leather back and corners, shall be fined ten dollars by the court as for a contempt, for each volume belonging to the county and which is passed into his custody, that shall be out of the court room at any term of court. He shall also receive and care for in the same way all books, maps, given to the library from any source, and shall not permit any books to be carried out of the court house.

SECTION 4686. Provides for the proper labeling of the books.

SECTION 505. Chancellor:

A chancellor shall be appointed for each judicial district.

SECTION 508. Duty of chancellor as to county library:

The chancellor at each term of court shall examine the books in the county library, see that they are properly kept, and that the sheriff faithfully performs his duty as county librarian. He shall cause his findings in the premises to be entered on the minutes, noting all books that have been added to the library and all books that may not be present. He shall impose a fine as provided for each volume belonging to the county and which has passed into the custody of the sheriff, that shall be out of the court-room at any term of court. He shall impose a fine on the sheriff for any other violation of his duty as county librarian, not exceeding one hundred dollars.

SCHOOL LIBRARIES

CODE, 1906

SECTION 4629. When any public free school in this state shall raise ten dollars by subscription or otherwise, for a library for such school, and shall furnish a suitable book-case with lock and key, the superintendent of education of the county where such subscription is raised may issue his certificate for ten dollars in favor of said school to be paid out of the common school fund of that county; but in no case shall the amount given by the county in any year exceed one hundred dollars; provided, that no school shall receive a second donation from the school fund for library purposes so long as there are any new applications from schools that have not been supplied. (Verbatim)

SECTION 4630. County library commission:

The county superintendent of education shall name two first grade teachers, who, together with the county superintendent of education, shall constitute a county library commission, and it shall be the duty of this commission to make a list of books suited for school libraries, and all books purchased under this provision shall be selected from this list. It shall be the duty of this commission to make rules and regulations to govern and control the use of such libraries in the county, and shall name a local manager for each

library, who shall make a report every year to the county commission of all books purchased during the year, of the money on hand at the time of the report, together with the amount expended for library purposes. The county superintendent shall keep a list of books purchased by the several libraries of his county and make a library report to the state superintendent of education biennially with the county school report. (Verbatim)

MISSOURI

STATE LIBRARY

REVISED STATUTES, 1909, v. 2

SECTION 8152. Supreme court to appoint librarian. His duties and salary.

SECTION 8153. Duty of librarian. Certain documents:
Librarian shall have custody of all property belonging to the library. Secretary of state shall deliver to the librarian certain documents enumerated.

SECTION 8154. Library rooms:
Miscellaneous and law library shall be kept in rooms set apart in the supreme court building.

SECTION 8155. Librarian shall fill vacancies in series of acts, journals, etc.

SECTION 8156. Appropriation for state library.

SECTION 8157. Purchase of books:
Librarian shall purchase books for the law library, under the direction of the judges of the supreme court.

SECTION 8158. Provides an assistant and fixes compensation and duties.

SECTION 8159. State auditor shall audit accounts of the library.

SECTION 8160. Librarian to make catalog, and report.

SECTION 8161. Certain expenses to be allowed librarian.

SECTION 8162. Rules:
Fixes the hours of opening the library, and rules for the issue of books.

SECTION 8163. Provides for securing the return of books loaned.

SECTION 8164. Penalties for violation of rules.

SECTION 8165. Liability of the librarian for books lost or destroyed.

SECTION 8166. Exchange of supreme court decisions.

SECTION 8167. Care of the rooms.

SECTION 8168. Terms of librarian and assistant.

SECTION 8169. Court reports to be replaced.

SECTION 8170. State librarian to exchange publications with other states.

LIBRARY OF THE GENERAL ASSEMBLY

SECTION 8177. Establishment:

There shall be maintained in the capitol building a library to be known as the Library of the General Assembly of the State of Missouri.

SECTION 8178. Contents:

It shall contain statutes of Missouri, session acts, legislative journals, and other documents, and such other books and documents as the library committee may deem appropriate.

SECTION 8179. By whom controlled:

Shall be under the control of the House and Senate during sessions of the General Assembly, and at other times under the charge of the secretary of the library commission.

SECTION 8180. Librarians and their duties:

One clerk from the House and one clerk from the Senate shall be designated as librarians, and shall, under the supervision of the secretary of the library commission, properly file and arrange the library.

SECTION 8181. Legislative committee:

A committee consisting of three representatives and three senators shall be appointed a special committee at the beginning of each session of the Legislature, to have superintending control of the library.

SECTION 8182. Librarian's duty during recess:

The secretary of the library commission, during recesses of the General Assembly, shall keep the library in proper condition.

SECTION 8183. Regulations:

The library shall be for the exclusive use of the members of the General Assembly, and shall be conducted under rules and regulations prepared by the library committee and adopted by joint action of the House and Senate.

MISSOURI LIBRARY COMMISSION

SECTION 8171. Appointment. Terms:

The governor shall appoint three members who with the state superintendent of schools and president of the State University, shall constitute the Missouri Library Commission. Members shall be appointed for six, four and two years, all subsequent appointments

shall be for six years, except appointments to fill vacancies or unexpired terms.

SECTION 8172. Duties. Summer schools:

Commission shall give advice to all school, free and other public libraries and to communities proposing to establish libraries, upon the establishment, maintenance of libraries, selection of books, cataloging and other details. It may receive gifts for library purposes, may purchase and operate traveling libraries and circulate such libraries within the state, among communities, libraries, schools, library associations, study clubs and institutions, free of cost except for transportation under proper rules and conditions. It may publish lists and circulars of information, may conduct summer schools for library instruction and clearing house for periodicals for free gift to local libraries.

SECTION 8173. Officers. Expenses:

Commission shall choose a president of their own number and a secretary not of their own number and may employ such other assistants as shall be required. The secretary shall keep a record of the proceedings and of its financial transactions and shall act under the direction of the commission in supervising the work of traveling libraries and organizing new libraries. In addition to his salary he shall be allowed his actual necessary expenses. No member of the commission shall be compensated for his services, but accounts for the traveling expenses of members incidental to attending meetings or establishing libraries, when approved by the president and secretary shall be paid.

SECTION 8174. Lectures:

Commission may arrange courses of lectures in normal schools on library subjects, may cooperate with the state library board in devising plans for care of school district libraries and in aiding teachers and school library administration.

SECTION 8175. Report:

Commission shall report annually to the general assembly when in session and when not to the governor. The report shall be published.

SECTION 8176. Headquarters:

Headquarters of commission shall be in Jefferson City.

CITY, VILLAGE AND TOWNSHIP LIBRARIES

SECTION 8187. Library fund:

Upon the petition of one hundred taxpaying voters in any incorporated city, asking that a levy of two mills on a dollar annually

shall be levied for the maintenance of a free public library, and in cities of over one hundred thousand inhabitants, that a levy of not to exceed two-fifths of one mill annually shall be levied, the mayor and common council shall cause this to be voted on at an annual or special election, and upon a favorable vote the tax shall be levied and known as a "Library Fund," provided, such tax shall cease in case a majority of the legal voters so vote at an annual election.

SECTION 8188. Directors:

When an incorporated city shall have decided to establish and maintain a public library and reading room under this article, the mayor with the approval of the legislative branch of the municipal government, shall appoint nine directors, citizens at large; no member of the municipal government shall be a member of the board.

SECTION 8189. Term of office:

Said directors shall hold office, one-third for one year, one-third for two years, one-third for three years and their successors shall be appointed thereafter for three years. The mayor may, with the consent of the legislative branch, remove any director for misconduct or neglect.

SECTION 8190. Vacancies. No compensation. Relations not to be employed:

Vacancies occurring by removal, resignation or otherwise, shall be filled in like manner as original appointments. No director shall receive compensation as such, no person shall be employed by such board who is related either by blood or by marriage to any director of said board.

SECTION 8191. Organization. Powers:

Said directors shall organize by election of officers, shall make by-laws and rules for their own guidance and the government of the library, shall have exclusive control of the expenditures of all moneys, construction of any library building, custody of grounds, rooms, and buildings, constructed or leased. All moneys received for such library shall be deposited in the treasury of the city or village as a "Library Fund" and drawn upon by the proper officers of said city or village, upon the authenticated vouchers of the library board; such board shall have power to purchase or lease grounds or buildings, power to appoint staff, fix compensation and remove, and such power as may be necessary to carry out the spirit and intent of this article.

SECTION 8192. Who may use the library:

Such library and reading room shall be forever free to the use of the inhabitants of the city where located, subject to reasonable regulations. The board may extend the privilege of such library to persons residing outside of such city upon such terms as they may prescribe.

SECTION 8193. Report:

Said board of directors shall report annually to the city council.

SECTION 8194. Penalties:

City council may pass ordinances imposing penalties for the injury of library property or failure to return library books.

SECTION 8195. Donations:

Any person desiring to make donations for the benefit of such library shall have the right to vest the title of such donations in the board of directors, who shall be considered special trustees.

SECTION 8196. Village or township library:

Gives the proper authorities in any village or township, upon the petition of fifty legal voters, the right to establish a library on the same conditions as those in section 8187.

SECTION 8197. Directors:

The directors of a village or township library shall be elected at the next regular election after the vote to establish a library. Such directors shall have the same terms of office and the same powers as those conferred upon the directors of free public libraries in cities.

SECTION 8198. Use of library by county:

County court in any county wherein is an incorporated city containing a public library, whenever petitioned by one hundred or more taxpaying citizens of said city and one hundred or more taxpaying citizens of said county residing outside of said city for the use by the citizens of said county residing outside of said city of said library, shall have the right to contract with the officers of said library for such use thereof by said citizens of said county residing outside of the city and to appropriate the moneys from the county revenues of said county therefor and continue such contract or renewals thereof, from year to year, provided that the annual amount so appropriated shall not exceed three per cent of the county revenues.

SECTION 8199. Library building fund:

Whenever in any incorporated city which has decided to establish a public library and reading room, one hundred taxpaying voters of such incorporated city shall petition the proper authorities asking an annual tax to be levied at an increased rate of taxation for the erection of a public library building, specifying a rate not to exceed one and one-half mills and not to be levied for more than five years and the board of directors of such library shall deem it necessary that such library building be erected, the proper authorities shall arrange to have it voted on at the next election, and if it receives two-thirds of the votes cast, such tax shall be levied and known as the "Library Building Fund" and placed under the control of the

board. The fund thereby provided shall be in addition to the annual tax levied for the maintenance of the library.

SECTION 8200. Plans and specifications:

When it has been determined at such election to provide for the erection of a free public library building, the library board shall have plans and specifications prepared, take bids thereon and let the contract therefor to the lowest and best responsible bidder, taking securities for the performance of his bid.

SECTION 8201. Board may sell land:

Whenever a board has acquired or shall acquire a lot and shall thereafter determine that it is not judicious to erect a building on said lot, said board is empowered to sell or exchange and use the proceeds to acquire other property for the same purpose, provided sections 8199, 8200 and 8201 shall not apply to cities under ten thousand inhabitants.

LIBRARIES IN CITIES OF OVER THREE HUNDRED THOUSAND INHABITANTS

SECTION 8202. Directors:

When any city having over three hundred thousand inhabitants decides to establish a public library and reading room, the mayor shall with the approval of the council appoint nine directors, chosen from citizens at large; no member of the municipal government shall be a member of said board and not more than five of such directors shall be members of the same political party.

SECTION 8203. Term of office:

Said directors shall hold office one-third for one year, one-third for two years and one-third for three years; their successors thereafter for three years. The mayor may, with consent of the council, remove any director for misconduct or neglect.

SECTION 8204. Vacancies:

Vacancies in the board by removal, resignation or otherwise shall be filled in like manner as original appointments; no director shall receive any compensation as such.

SECTION 8205. Organization. Powers:

Said directors shall be known as board of directors of the public library; shall organize by the election of officers, shall adopt by-laws and rules for their own guidance and the government of the library, shall have exclusive control of expenditure of all moneys, shall have custody of grounds and buildings, provided all moneys for such libraries shall constitute a "Library Fund" separate, and drawn upon by proper officers of the city upon authenticated vouchers of the library board. Board shall have power to purchase, hold

or lease grounds, to lease buildings, to issue bonds secured by deed of trust on any land of which they may be possessed, for the purpose of erecting library buildings and for no other purpose. All property shall vest in such board and be held by it in trust; board shall have power to appoint staff, fix compensation and to remove, and shall carry out the spirit and intent of this article.

SECTION 8206. Report:

Board shall report annually to the mayor.

SECTION 8207. Penalties:

Cities shall have power to pass ordinances imposing penalties for injury to library grounds or property and for failure to return any library book.

LAWS, 1909, P. 249

SECTION 253. Public library directors:

Establishes public library, provides for board of nine directors appointed by mayor; no person holding any other office in municipal government shall be a member; members shall serve without compensation.

SECTION 254. Appropriation:

Mayor and council shall annually appropriate out of the general revenue moneys for the proper maintenance and support of public libraries; provides such annual appropriation shall not be less than four-tenths of one mill of the assessed valuation.

SECTION 255. Practically the same as 8203.

SECTION 256. Same as 8204.

SECTION 257. Same as 8205.

SECTION 258. Practically the same as section 8192.

SECTION 259. Practically the same as section 8193.

SECTION 260. Treasurer of the library board shall be required to give bond.

SECTION 261. Practically the same as section 8194.

SECTION 262. Practically the same as section 8195.

SCHOOL DISTRICT LIBRARIES

LAWS OF MISSOURI, 1909, ART. 3, P. 838

SECTION 26. Board of directors of any such city school district shall have power to establish and maintain a public library and reading room for the use of the school district and to appropriate such sums

as the board may deem proper for support of said library and reading room.

LAWS OF MISSOURI, 1911, P. 413

SECTION 1. Auditoriums in libraries:

Gives school boards the right to erect and maintain and to let out for compensation an auditorium or public hall in connection with a public library, art gallery or museum and the proceeds thereof to be applied for the purchase of books for the public library.

LAWS OF MISSOURI, 1913, P. 720, S. B. 54

Amends Section 10,871 of Revised Statutes of 1909, concerning duties and powers of boards of education, by giving them power to establish separate libraries, parks and play grounds for the use of white and colored persons.

SCHOOL LIBRARIES

REVISED STATUTES, 1909, VOL. 2

SECTION 8184. State library board:

Provides for the creation of a school library board of five members, four appointed by the state board of education for four years and the state superintendent of schools, ex officio.

SECTION 8185. Lists of books:

Shall select lists of books for public school libraries and may make contracts with publishers. The state superintendent of public schools shall publish and distribute a classified list of selected books.

SECTION 8186. Book fund:

District school boards shall set aside for the purpose of purchasing for school libraries, supplementary and revised books, not less than five or more than twenty cents per pupil enumerated in the district each year, which shall be spent in purchasing books from the lists selected; provided that when one hundred selected books have been purchased, other books may be purchased.

STATE LIBRARY

REVISED CODE, 1907

SECTION 1207. What constitutes library:

Books, pamphlets, papers, etc., belonging to the state and in the Montana library, and all that may be added thereto, constitute the state library of Montana.

SECTION 1208. Under control of trustees. Two departments:

State library consists of two separate departments: (1) Law library; (2) Historical and miscellaneous library; the former under the control of five trustees, of which the chief justice and associate justices of the supreme court shall be ex-officio members, the secretary of state and state auditor, the chief justice president and the secretary of state secretary; the latter (library) shall be under the control of five trustees appointed by the governor with the consent of the senate. The members of both boards shall serve without compensation, and the terms of those not serving ex-officio shall be for two years.

SECTION 1209. Powers and duties of boards:

The powers and duties of said boards are as follows: (1) to make rules for their own government and for the government of the libraries; (2) to provide suitable rooms and equipment; (3) to appoint their respective librarians and prescribe their duties; (4) to sell or exchange duplicate books and pay the money into the library fund of the department to which it belongs; (5) to see that the property is in order and repair; (6) to draw from the state treasury monies belonging to the funds of their respective departments; (7) to report to the governor biennially.

SECTION 1210. Librarian:

Librarian holds his office for two years unless sooner removed by a majority vote of the trustees.

SECTION 1211. Duties of librarian of each department:

(1) to be in attendance during office hours; (2) under direction of trustees to make all purchases for the library; (3) to number and stamp all books and catalog them; (4) to attend to the binding of all books; (5) to keep a register of all property; (6) to keep a register of all books taken from the library; (7) to provide for the exchange of books and other publications.

SECTION 1212. Use of books:

Permits the use of the library for reading by all persons; provides special conditions under which books may be withdrawn by state officials, members of the legislature, and others.

SECTION 1213. Provides for the return of books withdrawn under the conditions in section 1212.

SECTION 1214. Provides penalties for failure to return books.

SECTION 1215. Provides penalties for injury to books.

SECTION 1216. Library funds:

The fund of the law library department consists of twenty percent of all fees collected by the clerk of the supreme court, and any appropriations made by the legislature. The fund of the historical and miscellaneous department consists of the receipts from the sales of any of its publications, and any appropriations made by the legislature.

SECTION 1217. Provides hours of opening.

SECTION 1218. Provides salary for the librarian.

SECTION 1219. Requires a bond from the librarian.

SECTION 1220. Historical department:

Provides additional duties for the librarian of this department, as follows: (1) to procure by purchase, exchange or donation, books on pioneer history of Montana; (2) to procure specimens of metals, minerals, flora, fauna and antiquities of the state; (3) to procure copies of all newspapers in the state, and also of magazines, pamphlets; (4) publish each year a volume of transactions and contributions.

SECTION 1221. Provides for payment of expenses for freight, etc.

SECTION 1222. Provides for payment of other expenses.

SECTION 1223. Provides for the transfer of the library of the historical society of Montana to the state library.

SECTION 1224. Provides that this shall be under the control of a board of five trustees.

SECTION 1225. Provides for rules.

SECTION 1226. Transfer of books:

Books, papers, etc., belonging to the state, now in the miscellaneous division of the Montana library, shall form part of the library of the historical society.

SECTION 1227. Provides two assistants to the librarian of the historical department.

SECTION 1228. Provides that the law librarian shall index the session laws.

SECTION 1229. Provides that the secretary of state shall provide copies to be used in preparing such indexes.

SECTION 1230. Provides assistants for the law librarian in preparing such indexes.

STATE CIRCULATING LIBRARIES

SECTION 1231. Libraries hereby created shall be known as the state circulating libraries of the state of Montana.

SECTION 1232. Makes appropriations for this purpose.

SECTION 1233. Control:

Said libraries shall be under the control of a board composed of the superintendent of public instruction, the attorney general and state auditor.

SECTION 1234. Provides for the purchase of books.

SECTION 1235. Composition of libraries:

Board shall divide said books into libraries of one hundred books each.

SECTION 1236. Board shall make rules for the circulation, care and preservation of said libraries.

SECTION 1237. Use of libraries:

Any community, village, town or city may have the use of one of said libraries for a period not to exceed six months, upon giving security and paying necessary expenses for freight, etc.

COUNTY LIBRARIES

LAWS, 1915, CHAPTER 45

An act for the establishment and maintenance of county free libraries.

SECTION 1. Establishment:

Upon the petition of not less than twenty per cent of the voters of a county, at least one-half of whom reside out of the county seat, a notice shall be filed with the county commissioners requesting the establishment of a county free library. Commissioners may by resolution establish at the county seat a county free library. At least once a week for four successive weeks, prior to taking such action the commissioners shall publish in a newspaper of general circulation in such county, notice of such contemplated action, giving date and place of a meeting for a public hearing.

SECTION 2. City or town may withdraw:

After the establishment of a county free library the legislative body of any city or town in the county may withdraw by notifying the county commission that such city or town no longer desires to be part of the county free library system. Thereafter the residents of the city or town shall cease to participate in the benefits of such free

library and the property shall not be liable to taxation for county free library purposes; provided that the legislative body of such city or town shall give notice by publication in some newspaper of general circulation in the city for four successive weeks.

SECTION 3. Librarian, appointment, qualifications:

Upon the establishment of the county free library, the county commissioners may appoint a county librarian, who may be removed for or without cause. Any person, a graduate of a library school or having one year's practical experience in library work, shall be eligible to the office of county librarian.

SECTION 4. Library under supervision of county commissioners:

County library shall be under the supervision of county commissioners who shall have power to make rules, to establish branches and stations throughout the county, to decide upon the number and kind of employees, and appoint and dismiss such employees. All employees whose duties require special training shall be graded by the county librarian before appointment in the graded service. Candidates must pass examinations appropriate for the position sought and satisfactory to the librarian and commissioners, and show satisfactory experience in library work; provided the county librarian may also accept apprentices without compensation.

SECTION 5. Duties of county librarian:

Prescribes the duties of the county librarian in detail.

SECTION 6. Library fund. Donations:

County commissioners may annually levy special tax not to exceed one mill on the dollar upon all property in such county. Bonds may be issued for the erection and equipment of county free library buildings and purchase of land therefor. County commissioners are authorized to receive donations; monies received shall constitute a separate fund. Payments shall be authorized and approved by the county librarian and acted upon in the same manner as other claims against the county.

SECTION 7. School libraries:

Provides for taking over school libraries already in existence.

SECTION 8. School district libraries:

Provides for making school district libraries branches of the county library.

SECTION 9. School district library funds:

Provides for turning over the funds of school district libraries to the county free library fund.

SECTION 10. Disestablishment:

Provides for the disestablishment of the county free library in the same manner as its establishment.

SECTION 11. Provides for city library becoming county library:

County commissioners may contract with the authorities of any free public library in any city or town in the county to become the county free library and may pay them for the service from the county library fund. Such arrangement may be terminated by either party on six months' notice.

SECTION 12. Payments:

Provides form of payment of bills.

PUBLIC LIBRARIES

REVISED CODE, 1907

SECTION 3219. Trustees:

Trustees of any public library created or existing in a city or town must be appointed by the mayor with the advice and consent of the council. The number of such trustees and their duties must be prescribed by ordinance.

SECTION 3488. Council may establish library:

Council has power to establish and maintain a free public library and may provide by ordinance for a tax as follows: Any city having an assessed valuation of one million dollars or more, a tax not exceeding two mills on the dollar; a city having an assessed valuation of less than one million and more than seven hundred and fifty thousand dollars, a tax not exceeding two and one-half mills; in a city having an assessed valuation of less than seven hundred and fifty thousand dollars, a tax not exceeding three mills; the tax so levied to be known as "Library Fund." No increase in the present authorized levy shall be made except by a vote of taxpayers.

SECTION 3489. Levy:

Prescribes form of vote for election on levy.

SECTION 3490. Establishment:

The question of the establishment of a library may be submitted at an annual or special election and must be submitted at such election on the petition of one hundred or more inhabitants. If the majority of the votes cast at such election is in favor, then such a library must be established.

LAWS, 1915, CHAPTER 114

Amends Section 3219 by giving trustees of the library complete control of the funds provided for in Section 3488.

SCHOOL LIBRARIES

REVISED CODE, 1907, ART. 23

SECTION 1030. Library fund:

Creates library fund which may be added to by donations which school trustees shall expend for the purchase of books in a school

library; provides that in certain school districts trustees may expend this fund for the maintenance of the schools.

SECTION 1031. Amount of fund:

Except in cities having a population of two thousand or more, the library fund shall consist of not less than five or more than ten per cent of the county school fund, provided that not more than fifty (\$50.00) dollars shall be expended in the district.

SECTION 1032. Library fund in cities:

In cities having a population of two thousand or more the library fund shall be not to exceed fifty (\$50.00) dollars for each five hundred children or a fraction thereof exceeding three hundred between the ages of six and twenty-one.

SECTION 1033. Control. Location:

Libraries shall be under control of board of trustees and kept when practical, in the school houses.

SECTION 1034. Rules and reports:

Trustees shall be held responsible for the care and preservation of the library and shall report annually to the county superintendent.

SECTION 1035. Books:

All books shall be selected from lists approved by the superintendent of public instruction.

Note: These sections were re-enacted in 1913 without any special change; they form Sections 1200 to 1205 of the Session Laws of 1913.

NEBRASKA

STATE LIBRARY

REVISED STATUTES, 1913

SECTION 3777. What shall constitute:

All books, pamphlets, etc., now belonging to the state or which shall be acquired hereafter shall constitute the state library.

SECTION 3778. Divisions:

There shall be two divisions in the state library, first miscellaneous books, etc., known as the "Miscellaneous Division," second, law books and reports, which shall be known as the "Law Division."

Note: This provision is obsolete.

SECTION 3779. Directors:

The judges of the supreme court shall constitute the board of directors of the state library; shall have power to make rules, prescribe penalties, etc.

SECTIONS 3780 to 3782 and SECTION 3785 to 3788. Use of library:
Prescribe rules for the organization and use of the library.

SECTION 3783. Librarian shall report annually to the governor.

SECTION 3784. Provides appropriation.

SECTION 3789 to 3791. State publications:

Provide for the distribution, exchange and deposit of publications.

LAW LIBRARY

SECTION 3805. Law Library:

The county board in counties having more than 150,000 population may provide a law library for the use of the judges, other county officers, and other persons designated.

STATE LIBRARY COMMISSION

SECTION 3806. Library commission:

Governor shall appoint one person for a term of five years who, with the state librarian, superintendent of public instruction, the chancellor and librarian of the University of Nebraska, shall constitute the Nebraska public library commission. Members shall serve without pay, but shall be allowed actual expenses; shall elect a chairman from its number and a secretary who may be chosen outside of its number, secretary shall keep records of proceedings and an account of its financial transactions, and shall have charge of its work in organizing new libraries and other general adminis-

trative duties. Secretary shall in addition to suitable salary, be allowed traveling expenses.

SECTION 3807. Privileges:

Any library community, local organization or body of citizens organized for library purposes, shall upon complying with the rules prescribed by this commission be entitled to the privileges of this article.

SECTION 3808. Books loaned to reading circles:

Any books or other property of the commission may be loaned to any library, college, university extension center, Chautauqua circle, literary society, study club or otherwise, approved by the commission under such rules for safe keeping, care and handling as may be fixed by the commission. The expenses of transportation shall be paid by borrowers.

SECTION 3809. Reports from libraries:

The commission shall each year obtain from all libraries in the state reports showing their condition and growth, with other facts and statistics, as may be deemed of interest.

SECTION 3810. Advice to libraries:

The commission shall when asked, give advice and instruction to all libraries or individuals and to communities who may propose to establish libraries, as to the best means of organizing and administering such libraries, selecting and cataloging books and other duties of library management. The commission shall so far as possible promote and assist, by counsel and encouragement, libraries where none exist and may send at its own expense members or officers to aid in organizing new libraries or improving those already established.

SECTION 3811. Purchases. Report:

The commission shall purchase books and equipment for use in lending its traveling libraries, shall keep a complete record of libraries to which books are sent and shall make a biennial report to the governor.

SECTION 3812. Offices for the commission:

Offices shall be provided at the University of Nebraska or the state capitol building.

SECTION 3813. Payments:

Payments may be made on an order signed by the secretary and chairman; upon such order being presented, the state auditor shall draw a warrant from the state treasurer for the amount thereof, not exceeding the amount of the appropriation.

PUBLIC LIBRARIES

SECTION 3792. Establishment. Taxes:

The council of any city, the trustees of any incorporated village, the county board of any county and the electors of any township, at their annual town meeting shall have the power to establish a public library free, for the use of the inhabitants of such division, or to contract for the use of a public library already established, and may levy a tax not more than three mills on the dollar annually, proceeds to be known as the "Library Fund"; provided that when a county board shall levy for a county library, it shall omit from the levy all property within the limits of any subdivision which already maintains a library by public tax, and provides further, that before the establishment of a county library, a majority of the voters voting thereon, at a general election, shall have authorized its establishment.

SECTION 3793. Directors:

When a city, council or village board shall decide to establish a library, they shall elect a library board of nine members, citizens at large; neither the mayor nor any member of the council or board may be a member. Directors shall be first elected, three for one year, three for two years and three for three years, and thereafter for three years. Vacancies or unexpired terms shall be filled in the same way. No director shall receive any compensation. Directors shall give such bonds as may be required.

SECTION 3794. Directors of a county or township:

When a county board or the electors of a township have decided to establish a public library, the county board or township board shall appoint a library board of five members, no member of which shall be a member of the county or township boards, one for a term of one year, one for two years, one for three years, one for four years and one for five years, and thereafter their successors shall be appointed for five years. No director shall receive any compensation and directors shall give such bond as required.

SECTION 3795. Directors. Powers and duties:

Directors shall organize by electing officers, shall have power to make by-laws and regulations, shall have exclusive control of expenditures and all library buildings and property, may contract with counties, townships, cities, villages or school districts, for the use of the library.

SECTION 3796. Funds:

All funds received for the support of the library shall be kept as separate funds and shall be drawn upon by vouchers signed by the president and secretary of the board.

SECTION 3797. Board. Powers:

Library boards shall have power to purchase or lease grounds, erect or lease buildings, appoint staff, fix their compensation and remove such appointees; shall have power to make regulations, to fix penalties and forfeitures and shall exercise such powers as may be necessary to carry out the spirit and intent of this article.

SECTION 3798. Library shall be free:

Such libraries and reading rooms shall be forever free to the use of the inhabitants of the city, village, county or township, subject to reasonable regulations.

SECTION 3799. Annual report:

The library board shall report annually to the city council or the village, county, or township board.

SECTION 3800. Penalties:

Penalties imposed or accruing by any by-law or regulation may be recovered in a civil action instituted in the name of the library board before any magistrate or court having jurisdiction.

SECTION 3801. Donations:

Any person may make a donation for the benefit of the public library and the title of such donation shall vest in the library board, who shall become the owners thereof in trust.

SECTION 3802. School districts:

Any school district may at its discretion authorize the school board to contract the use of a public library for the inhabitants of such district.

SECTION 3803. Exemptions:

The property of any public library shall be exempt from execution and shall also be exempt from taxation, as is other public property.

SECTION 3804. Deposits:

The library board shall have power to authorize any circulating library, or other reading matter or work of art, to be deposited in the public library rooms, to be drawn or used out of the rooms only on the payment of a fee. Deposits may be removed by the owner at pleasure, such deposits shall be subject to use and reading within the rooms without charge.

EMPLOYEES' RETIREMENT FUND

SECTION 3814. Creation:

In every public library in a city of the metropolitan class, there may be created an employees' retirement fund, which shall be under the control of the city council. Such retirement fund shall be created first by an assessment of not more than one and one-half per cent

of each installment of salary paid to an employee regularly employed in such library; second by setting aside from the general fund of such library or other funds under the control of such library an amount not more than one and one-half times the amount of such salary assessment and not less than the amount necessary to meet the accrued payments herein provided for; third, by receipt of gift or bequests, provided, however, if at any time the retirement fund shall in the judgment of the council become sufficiently large to meet all probable demands, then in that event the council may suspend temporarily, the salary assessment.

Note: City of metropolitan class defined, by Section 4067 of 1913 Statutes, as one with population of one hundred thousand or more.

SECTION 3815. Disbursement:

Such retirement fund or as much thereof as may be necessary, shall be disbursed in the manner hereinafter set forth. Any surplus of such fund may be invested by the council in any of the following securities: bonds of the county, of the city, state of Nebraska or the United States.

SECTION 3816. Beneficiaries:

Any employee having served thirty-five years may be retired by city council, any employee having served forty years shall be retired, such employee provided that at least twenty years of such service shall have been in the public library of such city shall be entitled to receive thereafter for life, four hundred and twenty dollars per annum in equal monthly payments.

SECTION 3817. Retirement for disability:

Any employee having served twenty or more years may be retired on account of disability, physical or otherwise. Any employee so retired, provided at least twenty years of accredited service shall have been in the public library of such city, shall be entitled to receive annually, payments to an amount which shall bear the same relation to four hundred and twenty dollars as the length of actual service does to thirty-five years. Such employee if the disability should cease, may be reinstated and any right to payments shall cease with such reinstatement. The period of such temporary retirement may be included in the reckoning of the time for final retirement, but shall not be included in arriving at the amount such employee shall receive.

SECTION 3818. Exemptions:

No heirs, legatees, creditors, or assigns shall be entitled to money from such fund and it shall be exempt from attachment, garnishment, or execution.

SECTION 3819. Discharge. Forfeiture:

Nothing in this article shall prevent the discharge of any employee

at the discretion of the city council; such discharge for other causes than disability or length of service shall forfeit any right to benefit from this fund.

SECTION 3820. "Employee" construed:

In construing this article the word "employee" shall include the salaried employees, official or otherwise.

SECTION 3821. Fund:

Council shall keep such fund as a separate fund and disburse or invest same in accordance with the terms of this article.

SECTION 3822. Rules and regulations:

The council shall have power to adopt rules and regulations for carrying out the provisions of this article not in conflict therewith.

NEVADA

STATE LIBRARY

REVISED LAWS, 1912

SECTION 3946. Books and documents in library:

All books, maps and charts belonging to or which may hereafter come into the possession of the state, or which may be received in their official capacity by any state officer, or received from foreign nations, or donated by any person or corporation, shall be placed in the state library and carefully preserved by the librarian.

SECTION 3947. Librarian:

The secretary of state shall be exofficio state librarian, take charge of the library and all papers, and other property, be responsible for the safe keeping of all the property of the state library, shall keep a catalog of books for reference, and shall report annually on the condition of the library.

SECTION 3948 to 3951. Provide rules for the use of the library and penalties for violation of rules.

SECTION 3952. Fees paid to library:

Provides that all fees for issuing commissions for state offices, shall go into the library fund up to the amount of five thousand dollars.

SECTION 3953. Fees from attorneys:

Provides that no person shall be admitted to practice as attorney or counselor-at-law, until he has contributed to the library fund, ten dollars.

Note: Section 3947 making the secretary of state exofficio state librarian was passed in 1865. In 1893 the following sections 3954 to 3959, making the lieutenant governor exofficio state librarian and prescribing duties, were passed.

SECTION 3954. Prescribes office hours.

SECTION 3955. Register of books, safe keeping of property.

SECTION 3956. Method of purchasing books and paying expenses.

SECTION 3957. Report:

Librarian to report annually.

SECTION 3958. Bond:

Lieutenant governor shall give bond as exofficio state librarian for one thousand dollars.

SECTION 3959. Receipt:

Lieutenant governor as exofficio state librarian shall give receipt to the justice of the supreme court for books and property.

Note: In 1893 the following section was passed making the secretary of state, exofficio state librarian.

SECTION 4110. Change in librarianship:

Secretary of state shall be exofficio clerk of the supreme court and exofficio state librarian * * * .

SECTION 3960. State librarian authorized to appoint an assistant librarian who shall perform the duties of librarian at the state library.

SECTION 3961. Librarian authorized to sell duplicates.

SECTION 3962. Provides janitor and engineer for the state library building.

STATUTES OF NEVADA, 1915, PAGE 310, CHAPTER 202

SECTION 2. Library commission. Duties:

State library shall be under the control of a state library commission, consisting of the chief justice and associate justices of the supreme court. The commission shall appoint a state librarian, who shall hold office at the pleasure of the commission. Librarian shall qualify and give bond. State librarian shall appoint an assistant, and shall be responsible for the safe-keeping of all property of the state library. Commission shall adopt rules and regulations.

PUBLIC LIBRARIES

REVISED LAWS, 1912

SECTION 3227. Establishment on petition:

Whenever in any county a petition or petitions for the establishment of a free public library certified by the judge of any judicial district as being signed by a majority of the taxpayers or by taxpayers representing a majority of the taxable property in any city, unincorporated town or school district shall be presented to the board of county commissioners of the county in which said city, unincorporated town or school district is situated, accompanied by an affidavit of one or more signers thereof that signatures are genuine, such board of county commissioners shall within ten days levy a tax upon all taxable property of said city, town or district, not less than five or more than ten cents on each one hundred dollars valuation for the purpose of creating a fund to be known as the "Library Fund." Each year thereafter said board of county commissioners shall levy a tax for said purpose of not more than ten cents on each one hundred dollars valuation.

SECTION 3228. Appointment of trustees:

State board of education of Nevada whenever notified of a petition presented as provided in Section 3227, shall appoint three residents

of such city, town or district as library trustees, who shall hold office for a period of one, two and three years respectively, and said state board of education shall annually thereafter appoint one library trustee who shall hold office for three years. All vacancies which may occur shall be filled by the state board of education. Trustees shall serve without compensation and shall hold office until their successors are appointed and qualified.

SECTION 3229. Powers of trustees:

Said trustees shall have power to and shall establish and maintain a library and reading room, make purchases and secure rooms, employ assistants, appoint officers, establish by-laws and regulations and manage affairs of said library. They and their successors shall hold the property and effects of said library in trust and may as library trustees acquire and hold real estate and personal property, and administer any trust declared or created and may prosecute, maintain or defend any action in reference to the property or affairs of said library.

SECTION 3230. Manner of paying claims:

All claims for indebtedness incurred by said library trustees shall be audited by a majority of said trustees and presented and acted upon by the board of county commissioners and paid out of said library fund; no indebtedness in excess of the amount of money to be realized in any year from said levy, shall be incurred by said trustees or allowed by the county commissioners and in no case shall any claim except for library purposes, be paid out of said fund.

SECTION 3231. Library free:

Said library shall be forever free and accessible to the people of such city, town or district, subject to such reasonable rules as the trustees may adopt.

IN CITIES AND TOWNS

SECTION 794. Powers of council:

Said council shall have the following powers * * *

61. To establish, maintain and regulate free public libraries and reading rooms as are, or may be provided by law and perpetuate free such libraries and reading rooms as may have been heretofore established in such cities.

IN SCHOOL DISTRICTS

SECTION 3393. District school libraries' fund:

The superintendent of public instruction shall each year set apart a sum of not less than three dollars or more than five dollars for each teacher to which the district is entitled, calculating one teacher for every seventy-five census children or fraction thereof, and a further

sum of not less than five cents or more than ten cents for each census child as shown by the last school census. The sums thus appropriated shall constitute the district school library fund.

SECTION 3394. Amount of fund:

The amount of money to be set apart within the limits thus provided shall be determined by the superintendent of public instruction.

SECTION 3395. Expenditures:

Monies herein designated shall be expended for the purchase of books, approved by the superintendent of public instruction for the public school libraries of each district and for no other purpose.

SECTION 3396. Expenditure:

The school trustees of each district are authorized and directed to purchase books for public school libraries in accordance with the provisions of this act.

SECTION 3397. Rules for libraries:

Superintendent of public instruction shall make rules and regulations.

NEW HAMPSHIRE

STATE LIBRARY

PUBLIC STATUTES, 1900, CHAPTER 8

SECTION 1. State library:

State library shall be maintained in a place provided for it for the use of the officials of the state and such other persons as the trustees may determine and shall be kept open every day except Sundays and holidays.

SECTION 2. Trustees:

State library shall be under the management of three trustees who shall serve without compensation.

SECTION 3. Appointment:

Trustees shall be appointed and may be removed by the governor at the advice of the council. One trustee shall be appointed annually and shall hold office for three years, unless removed.

SECTION 4. Duties:

Trustees shall buy books, periodicals, etc., make necessary rules, appoint librarian and fix compensation and define duties.

SECTION 5. Books:

Shall procure for the library, statutes, law reports, etc., and miscellaneous books, except fiction.

Note: Later this was amended to permit the purchase of fiction relating to New Hampshire and amended to authorize competitive bids for books. Three other amendments relating to building up the library were made.

SECTIONS 6-9. Provide for exchanges and for the printing of pamphlets.

SECTION 10. Provides that library shall be examined at least twice each year.

SECTIONS 11-15. Prescribe the duties of the state librarian.

SECTIONS 16-18. Rules for the use of the library.

SECTION 19. Appropriations for incidental expenses.

An unnumbered section relates to the care of the state library building.

LEGISLATIVE REFERENCE BUREAU

PUBLIC STATUTES, SUPPLEMENT 1901-1913, PAGE 13 LAWS OF 1913
CHAPTER 206

SECTION 1. There is hereby established in the State Library, under the direction of the State Librarian, a Legislative reference bureau, whose duties shall be to collect, arrange, index and classify books,

pamphlets and other material relating to legislation; to prepare abstracts of laws in other states and countries; to supply such other information as may be of service to the members of the Legislature or the executive departments, in the performance of their duties; to furnish to members of the Legislature such assistance as may be demanded in the preparation and formulation of legislative bills.
(Verbatim)

SECTION 2. Appropriation:

Provides that five hundred dollars (\$500) from the State Library appropriation shall be used annually for the Reference Bureau, and that the work shall be performed by the staff of the State Library.

NEW HAMPSHIRE HISTORICAL SOCIETY

PUBLIC STATUTES, 1900, CHAPTER 8

SECTION 20. Appropriation:

Appropriates five hundred (\$500.00) dollars to aid in keeping open the library of the New Hampshire Historical Society.

STATE LIBRARY COMMISSION

SECTION 21. Appointment:

Governor, with the consent of the council, shall appoint four persons, residents of the state, who with the state librarian, shall constitute a board of library commissioners. The governor shall designate the chairman. Two members shall be appointed for four years and two for two years; thereafter the term of office shall be four years. All vacancies shall be filled by the governor, with the consent of the council.

SECTION 22. Advice to libraries. Report:

The librarian or trustees of any free library may ask advice in regard to book selection, cataloging and other matters of library maintenance. The board shall give such advice as it shall find practical. Board shall report biennially to the legislature; board shall issue a library bulletin twice a year with recommendations as to the best methods in regard to library work. Such bulletin shall be printed and distributed, at least three copies being sent to each free public library in the state. Library commissioners may receive no compensation, but shall be allowed a reasonable sum for clerical assistance and other necessary expenses.

SECTION 23. Aid to towns:

The commission is authorized to expend the sum of one hundred (\$100.00) dollars for books for any town making application, having no free public library. Such books to be used to establish a free public library.

SECTION 24. Conditions of such aid:

No town shall be entitled to this provision until it has accepted the provision at a regular called town meeting and provided in a manner satisfactory to the board of commissioners for the care, custody and distribution of the books.

PUBLIC LIBRARIES

SECTION 25. Support by towns:

Any town accepting the provisions aforesaid, shall appropriate for its free library not less than fifty (\$50.00) dollars if its last valuation was one million (\$1,000,000.00) dollars or upward; not less than twenty-five (\$25.00) dollars if the valuation was less than one million (\$1,000,000.00) dollars and not less than two hundred and fifty thousand (\$250,000.00) dollars, or a sum not less than fifteen (\$15.00) dollars if the valuation was less than two hundred and fifty thousand (\$250,000.00) dollars.

SECTION 26. Assessment. Trustees:

Provides that the selectmen in each town shall assess annually a sum equal to thirty (\$30.00) dollars for every dollar of public tax apportioned to the town. (Passed in 1895).

The town may raise a sum exceeding the amount aforesaid.

The sum so assessed shall be appropriated for the sole purpose of establishing and maintaining a free public library. This library shall be forever free to every inhabitant.

A board of trustees shall be elected excepting where the town has acquired a library in another way accompanied by conditions governing the election of trustees.

Such board of trustees shall consist of any number divisible by three, which the town may decide to elect. At the first election the trustees shall be appointed one-third for one year, one-third for two years and one-third for three years and thereafter, one-third annually each year for three years. No person shall be ineligible to serve by reason of sex.

Trustees so elected shall have entire custody and management of the free public library.

Trustees shall report at each annual town meeting and also report annually to the board of library commissioners.

Any town or library official violating these provisions shall be fined five hundred (\$500.00) dollars. Whenever there is available an income equal to the amount required to be raised by the town annually, then the first paragraph of this section shall not be enforced. When a town shall vote in proper form that it is inexpedient to establish a library, it shall be exempt from the provisions of this section for one year thereafter.

PUBLIC STATUTES, SUPPLEMENT, 1901-1913, P. 12, 1901, CHAPTER 7

SECTION 1. This section provides for the gradual consolidation of the trustees of the state library and the board of library commissioners into one board, provided that no more than two members of the board of library commissioners, shall be appointed from one political party.

PUBLIC STATUTES SUPPLEMENT, 1901-1913, P. 13, 1903, CHAPTER 6

SECTION 1. The board of trustees of the state library and the board of library commissioners having become identical in personnel by virtue of the operation of Chapter 7 of the laws of 1901, the board of library commissioners is hereby abolished.

SECTION 2. All the powers and duties now by law made incumbent upon the board of library commissioners, shall devolve upon the trustees of the state library. (Verbatim)

PUBLIC STATUTES, SUPPLEMENT 1901-1913, P. 73-74, CHAPTER 40

SECTION 4. Towns may at any legal meeting, grant and vote such sums of money as they shall judge necessary * * * to establish and maintain public libraries and reading rooms, or to assist in the maintenance of any library and reading room that is kept open for the free use of all the inhabitants of the town.

NEW JERSEY
STATE LIBRARY

NEW JERSEY—1
: :
NEW JERSEY

COMPILED STATUTES, 1911, VOL. 4, PAGE 4900

SECTION 1. Commissioners, rules, etc.:

Library shall be governed by a board of commissioners who shall be the governor, chancellor, chief justice, secretary of state, treasurer and comptroller. These shall provide rules, and all fees and forfeitures shall be recoverable by action.

SECTION 2. Duplicate volumes:

Commissioners shall have power to sell duplicate volumes.

SECTION 3. Librarian. Appointment:

Commissioners shall appoint a librarian who shall hold office for five years unless removed by unanimous vote. Any vacancy shall be filled for unexpired term. (1878).

SECTION 4. Librarian. Bond, etc.:

Librarian shall give bond for one thousand dollars (\$1,000) and take oath or affirmation.

SECTION 5. Relates to time of keeping library open.

SECTION 6. Prescribes the routine duties of the librarian.

SECTION 7. Public documents to be placed in the library.

SECTION 8. Distribution of reports, statutes, etc.:

SECTION 9. Joint committee of legislature to examine library.

SECTION 10. Legislative bills to be delivered to the librarian.

SECTIONS 11 and 12. Insurance on Library.

SECTIONS 13 and 14. Appropriations for the library.

SECTION 15. Adds attorney general to the library commission.

SECTION 16 and preamble. Relate to manuscript letters of George Washington and others.

SECTION 17. Provides assistant for the librarian.

SECTION 18. Salary:

Adds three hundred dollars (\$300) to the librarian's compensation for clerical service. (1898).

SECTION 19. Salary:

Fixes librarian's salary at three thousand dollars (\$3,000). (1907).

LEGISLATIVE ADVISER AND BILL EXAMINER

ACTS, 1914, CHAPTER 28

SECTION 1. Appointment:

The attorney general shall appoint a competent counselor at law as legislative adviser and bill examiner, who shall hold office at the pleasure of the attorney general.

SECTION 2. Shall maintain the office:

Said adviser and examiner shall maintain an office in conjunction with the legislative reference department of the state library, from the first day of December until the close of the annual legislative session, and for such further time as the president of the senate and speaker of the house may direct.

SECTION 3. Duties:

It shall be the duty of such adviser and examiner, during the period before mentioned, on request of either the house or legislature, or of any committee or member thereof, to draw prospective acts, to examine any bill or resolution, or proposed bill or resolution, or any amendment or amendments thereof, for the purpose of avoiding repetitions and unconstitutional provisions and of securing accuracy of texts and reference, clearness and conciseness in the phraseology, and consistency with existing statutes and to advise as to the constitutionality or effect of proposed legislation.

LEGISLATIVE REFERENCE LIBRARY

CHAPTER 29

SECTION 1. Purposes:

It shall be the duty of the state library to collect and keep constantly up to date, and have readily accessible to all persons of the legislature and all other persons desiring to use the same, under the supervision and regulations of the state library, such information material as will furnish the fullest information practicable upon all matters pertaining to current or proposed legislation or any legislative or administrative problems, and to prepare and submit digests of such information and material upon the requests of any legislative committee or any member of the legislature.

(Verbatim)

SECTION 2. Authorizes an expenditure not to exceed one thousand dollars (\$1,000) for the foregoing purpose.

PUBLIC LIBRARY COMMISSION

COMPILED STATUTES, 1911, VOL. 3, PAGE 3123

SECTION 99. Appointment. Terms. Vacancies. Reports:

Governor shall appoint, if during a session of legislature with the advice and consent of the senate, five persons as a library commis-

sion, one member for five years, one for four, one for three, one for two years, thereafter annually one for five years. Vacancies shall be filled by the governor. Said commission shall report to the legislature in January of each year.

SECTION 100. Compensation. Expenses:

No member of such commission shall receive any compensation, but, for its necessary expenses, may expend annually not to exceed one thousand, five hundred dollars (\$1,500).

SECTION 101. Advice:

Commission shall give advice to the librarian or trustees of any free public library or any person or persons desirous of establishing a library, upon the purchase and cataloging of books, and other matters pertaining to the establishment, maintenance and administration of a library.

SECTION 102. Donations to libraries:

The commission is authorized to donate to any public library not to exceed one hundred dollars (\$100) for books, provided an equal sum has been set apart for books by such library. Provided that this provision shall not apply to any library having upwards of five thousand books.

SECTION 103. Limit of expenditure:

Commission shall not incur any debt or make any donation or expenditure exceeding the appropriation made for its use.

STATE TRAVELING LIBRARIES

COMPILED STATUTES, 1911, v. 4, p. 4903

An act to establish and promote state traveling libraries

SECTION 20. Traveling libraries:

Board of commissioners are directed to devise methods for creating small traveling libraries with the necessary appliances, and so many as may be found advantageous for use in the state may be provided for at a cost not to exceed the amount appropriated by the legislature. (P. L. 1898, page 415).

SECTION 21. Books, bookcases, etc.:

Commissioners are given full authority to provide books with bookcases and outer traveling cases, and to keep the same in repair. (P. L. 1898, page 416).

SECTION 22. Locations:

Such traveling libraries shall be established at such points as the commission may direct, but the commission is not authorized to pay for the rental of any place for their use. (P. L. 1898, page 416).

SECTION 23. Management transferred to public library commission:
Management of the traveling libraries provided for in the foregoing is transferred to the public library commission who shall possess and be subject to all the duties which were conferred upon the board of commissioners of the state library by the foregoing acts. (P. L. 1904, page 43).

SECTION 24. Appropriations:

All appropriations which shall hereafter be made for the use of traveling libraries shall be paid over to and disbursed by the public library commission. (P. L. 1904, page 44).

SECTION 25. Equipment:

All books, cases, and other equipment which shall have been heretofore used for the purpose herein expressed shall hereafter be at the disposition of the state public library commission. (P. L. 1904, page 44).

SECTION 26. Traveling libraries, penal and correctional institutions:

Traveling libraries provided by the act to which this act is supplement may be furnished to the several penal and correctional institutions of this state, but books so furnished shall not thereafter be forwarded to any municipality of the state, but shall be used exclusively in such institutions. (P. L. 1906, page 206).

SECTION 27. Appropriations:

The sum of one thousand dollars (\$1000) is hereby appropriated for the purpose of carrying out the provisions of section 26. (P. L. 1906, page 206).

TRAVELING LIBRARIES

COMPILED STATUTES, 1911, v. 3, p. 3122

SECTION 91. Establishment:

The public library commission shall operate, direct and control a system of small state traveling libraries; said libraries shall be styled "traveling libraries," and so many of them as may be found advantageous for use in the state may be provided for under rules and regulations to be prescribed and promulgated by said commission; the cost, however, of the provision therefor shall not exceed the amount which shall annually be appropriated by the legislature for such purpose.

SECTION 92.

The nature and character of the books to be purchased shall be determined and controlled by the said commission, or a majority of them, and the purchase of all books to be used in connection with the said traveling libraries shall be made as said commission may

direct. The commission shall have authority to purchase, from any appropriation that shall be made, such and so many book-cases and outer traveling cases as experience and the useful and successful operation of the said system of traveling libraries may require and they shall have full authority, from any appropriation which may from time to time be made, to repair and keep said cases in good order and to purchase new cases when necessary, and to keep the books in said traveling libraries in good condition by rebinding, or by repurchase, or substitution of books, or otherwise, and provide all necessary printing and cataloging for the same.

SECTION 93.

Said traveling libraries shall be used and operated at such points as the said commission may direct, but the said commission shall not be authorized to spend moneys for the rental of any place or places in any municipality in this state from which distribution shall be made from said traveling libraries.

PUBLIC LIBRARIES

SECTION 94. Amount appropriated by cities:

It shall be lawful for the council of any city to appropriate such sum not exceeding one thousand dollars (\$1000) as may be deemed necessary, to establish or aid public libraries or reading-rooms.

SECTION 95. Amount appropriated by boroughs:

It shall be lawful for the governing body of any borough, town, township or village to appropriate in like manner and for like purpose a sum not exceeding three hundred dollars (\$300).

SECTION 96. Tax levy:

It shall be lawful for the governing body of any town, township, village or borough to raise by tax any sum not exceeding one thousand (\$1000) annually, to aid public libraries and free reading-rooms, provided such levy be first approved by a majority vote at an annual election.

SECTION 97. Application of act:

Every library established pursuant to any general law shall be governed by the provisions of this act; and all acts inconsistent herewith are hereby repealed.

SECTION 98. Gifts:

Any free library may accept gifts and bequests or works of art, and care for the same in accordance with the provisions of such gifts or bequests.

SECTION 1. Annual appropriation:

Authorizes the governing body of any township, village or borough to appropriate not to exceed three hundred dollars (\$300) annually for a public library. (P. L. 1893, page 410).

SECTION 2. Additional appropriation for libraries:

In a preamble it says that acts not specifically cited provide for a tax of one-third of a mill and, whereas this may be insufficient, the section authorizes the assessment of an additional one-sixth of a mill. (P. L. 1901, Page 220).

SECTION 3. Acceptance of additional gifts:

It shall be lawful for the governing body of any municipality in this state in which there is now or hereafter may be a free public library established pursuant to law, to accept by resolution any gift of money or securities, for the purpose of erecting a library building, or any gift of a library building made, given or offered on condition that the municipality to which such gift is made shall provide a suitable site for such building and appropriate annually for the maintenance of the free public library therein a sum not exceeding ten per centum of the amount or value of such gift; when any such conditional gift is so accepted by any municipality, it shall be lawful for the said governing body thereof to appropriate for the purpose of purchasing a site for such library building a sum not exceeding in amount three-fourths of one mill on each and every dollar of taxable property in such municipality last returned for the purpose of taxation therein, and to include the amount so appropriated in the next annual tax levy to be made in such municipality, and it shall be lawful to raise by taxation in such municipality for the support and maintenance of the free public library such amount annually as may be required by the condition of any such gift. (P. L. 1902, page 256).

(Verbatim)

SECTION 4. Purchase and control of site:

At any time after the acceptance of any such gift, it shall be lawful for the trustees of the free library in any such municipality to purchase at a cost not exceeding the amount appropriated therefor, a suitable site for the erection of a library building. The title of real estate so purchased shall be taken in the corporate name of the municipality, but the use and control of the same shall be in the board of trustees of the free public library therein, so long as it shall be used for free public library purposes. (P. L. 1902, page 256).

(Verbatim)

SECTION 5. Expenditure of additional amounts, etc.:

In any city, town, township or municipality in which there is now

or may hereafter be a free public library established pursuant to law, the board of aldermen, common council or other legislative body shall have power, by resolution to accept gifts or bequests for the purpose of building a library building in any such city, town, township or municipality, which may be made on condition that the sum not exceeding ten per centum of the amount of such gift or bequest be annually appropriated for the maintenance and support of such library, and when any conditional gift is so accepted by any city, town, township or municipality, it shall be lawful to raise by taxation from time to time, for the support and use of said library, such amount annually as may be required by the condition of any such gift. (P. L. 1902, page 666).

SECTION 6. Expenditure of gifts:

Any gift or bequest when accepted by the board of aldermen, common council, or other legislative body of any such city, town, township or municipality, shall be received by the city treasurer and expended by and under the direction of the trustees of the free public library, for the purposes for which such gift or bequest was made, in the same manner as other funds are now expended by such trustees. (P. L. 1902, page 666).

SECTION 7. State publications. Distribution:

Provides for the distribution of state publications to all free libraries.

SECTIONS 8-64. Include laws passed at various dates from 1879 to 1902, providing for the establishment and maintenance of libraries in municipalities generally, in cities of the second class and in cities having a specially designated population.

The provisions of these laws appear to be included in or superceded by, the following:

SECTION 65. Establishment of libraries:

Any city, borough, town, township or village may, in the manner hereinafter provided, establish a free public library within its corporate limits. (P. L. 1905, p. 273). (Verbatim)

SECTION 66. Adoption of act:

Provides that the governing body of any such municipality shall observe the provisions of this act, when the same shall be voted by a majority of the legal voters at any election, general or special; prescribes the form of holding such election; provides that an adverse vote shall not preclude the holding of another election to vote for or against the adoption of the provisions of this act. (P. L. 1905, page 273).

SECTION 67. Tax levy:

If a majority of the votes are favorable, it shall be the duty of the

governing body to appropriate and raise by taxation a sum equal to one-third of a mill on the dollar. (P. L. 1905, page 274).

SECTION 68. Additional tax levy:

It shall be lawful to raise in addition to the sum required by section 3 a sum not exceeding one-sixth of a mill. (P. L. 1905, page 274).

SECTION 69. Trustees:

The board of trustees of such free public library shall consist of the mayor or chairman of the governing body of such municipality, the superintendent of instruction or, if no such officer, the president of the board of education, ex-officio, and five citizens appointed by the mayor or the chairman of the governing body for one, two, three, four and five years respectively, and thereafter for five years. Vacancies shall be filled in the same manner. (P. L. 1905, page 275).

SECTION 70. Powers, organization, etc.:

Trustees shall have the powers of a corporate body; shall organize by electing officers; shall file a certificate at the office of the secretary of the state; shall hold in trust and manage all property of the library; may rent or construct buildings, purchase books and other reading matter, employ staff and fix salaries; shall make rules, and do all things necessary and proper for such library. (P. L. 1905, page 275).

SECTION 71. Compensation:

Such trustees shall receive no compensation and shall not incur any expense nor incur any obligations to an amount in excess of the library appropriations and of its funds on hands. (P. L. 1905, page 276).

SECTION 72. Report:

Trustees shall report annually to the governing body of such municipality. (P. L. 1905, page 276).

SECTION 73. Devises, etc.:

Said board of trustees may receive, hold and manage any devise, bequest or donation heretofore made or hereafter to be made and given for the establishment, increase or maintenance of a free public library within its municipality. (P. L. 1905, p. 276).

(Verbatim)

SECTION 74. Transfer of books:

Any public board or public department of the government may transfer any books in its possession to such public library.

SECTION 75. Funds for buildings:

Provides that when in the judgment of the trustees it becomes advisable to purchase land or to erect buildings, or both, the board or

trustees shall certify to the council the amount necessary for such purpose in addition to the amount necessary for current maintenance; and the common council may, by resolution approved by the mayor, authorize the trustees to expend such sums of money. Provided that no land shall be purchased without the concurrence of the common council and the approval of the mayor. Title to such real estate shall be in the name of the city, but its use and control in the board of trustees so long as used for free public library purposes. (P. L. 1905, page 277).

SECTION 76. Acquisition of lands:

Gives the board of trustees the right to acquire land in the manner approved by the general laws for the condemnation and taking of lands for public uses. (P. L. 1905, page 278).

SECTION 77. Equipping libraries:

Any city which shall acquire land and erect buildings thereon for a free public library, in accordance with law, may make additional appropriation for equipment in the following manner:

The trustees shall certify to the council the amount necessary for equipping, furnishing and decorating such building; and the council, with the approval of the mayor, may authorize such expenditure. (P. L. 1905, page 279)

SECTION 78. Bonds. Amount. Interest. Redemption:

Any city having accepted the provisions of this act shall have power to create and issue bonds for the acquiring of lands, the erection and improvement of buildings, the equipment, furnishing and decorating of library buildings. Such bonds shall bear interest not exceeding five per cent, to be sold at not less than par, to make such provision for payment as the common council shall determine. City shall make provision by general taxation for their payment. In case the powers of such city to issue bonds are limited by law to a fixed percentage of the assessed value of its taxable property, such city shall have power to issue bonds as set forth above, to the extent of one-half of one per centum of the assessed value of its taxable property in excess of such limit.

SECTION 79. Library buildings in boroughs, towns, townships and villages:

When any individual or corporation has offered or hereafter may offer to the trustees of the free public library of any borough, town, township or village in this state which shall hereafter accept the provisions of this act or has heretofore established a free public library pursuant to law, or has offered or hereafter may offer to the council or other governing body of any such municipality, to provide or erect a building to be used as a free public library upon condition that such municipality, or the trustees of the free public library therein,

or the council or governing body thereof, provide a site for such a building, it shall be lawful for the council or other governing body of any such municipality, by resolution adopted by the votes of a majority of all the members thereof, to appropriate for the purpose of purchasing a suitable site upon which to erect such library building, a sum of money not exceeding three-fourths of one mill on every dollar of assessable property returned by the assessor of such municipality in his last preceding levy for the purpose of annual taxation therein; and thereupon the board of trustees of the free public library in such municipality shall be vested with sufficient power and authority to purchase land for said purpose and to spend moneys therefor not exceeding the amount of such appropriation: provided, however, that the title to lands so purchased shall be taken in the corporate name of the municipality, but the use and control of the same and of the building to be erected thereon shall be in such board of trustees of the free public library so long as the same shall be used for free public library purposes.

SECTION 80. Bond issue for site:

To defray the expense of such purchases, the governing body of such municipality is authorized to sell bonds not exceeding the amount of such appropriation, to be payable in not more than ten years, and to bear not more than five percent interest payable semi-annually. These shall not be sold for less than their par value.

(P. L. 1905, page 281)

SECTION 81. Taxation:

An annual levy shall be made, sufficient to pay the interest and redeem the bonds at maturity.

(P. L. 1905, page 281).

SECTION 82. Library for two municipalities, etc.:

At an annual election of any borough, town, township or village not having a public library, the voters may, by a majority vote, authorize the governing body to unite with an adjoining borough, township or city of the second or third class, in the maintenance of a public library; the privileges of said library to be on equal terms to the residents of both municipalities.

(P. L. 1905, page 281).

SECTION 83. Tax levy:

When, at such election, the majority of the voters of such municipality authorize such union, the governing body thereof shall levy a tax of not less than one-third of a mill upon the dollar, but not more than a thousand dollars (\$1,000) annually, for the support of such union library.

(P. L. 1905, page 282).

(Verbatim).

SECTION 84. Trustees:

The head officer of such municipality shall be ex-officio a trustee of such union library; and the governing body thereof may design-

nate two other voters, residents of such municipality, as joint trustees of said union library; and these trustees shall be a part of the board of trustees of the library of said participating borough, township, or city of the second or third class. (P. L. 1905, page 282).

SECTION 85. Union of trustees:

The governing body of such borough, township or city, receiving a proposal for union with an adjoining municipality, is authorized to accept such proposal and to admit the trustees aforesaid to its own board of trustees; and jointly these trustees shall have full control of said library.

SECTION 86. Tax for building:

When a joint board of trustees shall deem it advisable to purchase lands or erect buildings, or both, for the purpose of a free public library, said trustees shall certify the proportion of money for such purposes, based upon the assessments, of each municipality, to the governing bodies thereof; and such governing bodies shall submit the question of an appropriation at the next annual election; if approved by the majority vote thereof, the money may be raised by tax or bonds; in case bonds are issued, the procedure shall conform to section 80 of this act.

CONDITIONAL GIFTS FOR LIBRARY PURPOSES

SECTION 87. In any city, borough, town, township or village in which there is now or hereafter may be a free public library established pursuant to law, the board of aldermen, common council or other governing body shall have power by resolution to accept gifts or bequests for the purpose of building a library building in any such municipality which may be made on condition that a sum not exceeding ten per centum of the amount of such gift or bequest be annually appropriated for the maintenance and support of such library, or which may be made on the above condition and on the further condition that such municipality to which such gift is made shall also provide a suitable site for such building; and when any conditional gift is so accepted by any municipality it shall be lawful to raise by taxation from time to time for the support and use of said library such amount annually as may be required by the condition of any such gift.

SECTION 88. When such gift is made on the condition that said municipality shall provide a suitable site for such library building, as well as agree to appropriate annually a certain sum of money as aforesaid, it shall be lawful for the governing body of such municipality to appropriate for the purpose of purchasing a site for such library building a sum not exceeding in amount three-fourths of one mill on every dollar of taxable property in such municipality last returned

for the purposes of taxation therein, and to include the amount so appropriated in the next annual tax levy to be made in such municipality.

SECTION 89. At any time after the acceptance of any such last-mentioned gift it shall be lawful for the trustees of the free public library in any such municipality to purchase, at a cost not exceeding the amount appropriated therefor, a suitable site for the erection of a library building. The title of the real estate so purchased shall be taken in the corporate name of the municipality, but the use and control of the same shall be in the board of trustees of the free public library therein so long as it shall be used for free public library purposes.

SECTION 90. Any gift or bequest, when accepted by the board of aldermen, common council or other governing body of any such city, town, township or municipality, shall be received by the treasurer or other corresponding officer of such municipality and expended by and under the direction of the trustees of the free public library for the purposes for which such gift or bequest was made, in the same manner as other funds are now expended by such trustees.

SCHOOL LIBRARIES

LAWS 1914, CHAPTER 186

An act amending an act to establish free public schools.

1. Amends as follows:

SECTION 208. Establishment:

The state comptroller shall draw his warrant on the order of the public library commission, in favor of the custodian of money of the school district, of twenty dollars (\$20) for any public school situate in such district in which there shall have been raised a like sum to establish a school library, and a further sum of ten dollars annually upon condition that a like sum shall have been raised.

2. Amends as follows:

SECTION 209. Commissioners' duties:

The public library commission shall make rules for the organization management and safe-keeping of such libraries; and all selection of articles purchased in part by state funds shall be approved as said commission may direct.

3. In any school district having more than one school-house, the commission may consolidate and establish in one place the school libraries in such district.

4. Each school district may, as provided by law, appropriate such sums as may be necessary for the care and management of such library.

5. Any expense incurred by the commission in carrying into effect this act shall be paid by the state treasurer, on warrant of state comptroller, provided an appropriation therefor shall have been made by legislature in annual appropriation act.

LIBRARY ASSOCIATIONS

COMPILED STATUTES, 1911, VOL. 3

An act for the encouragement of free libraries in cities.

SECTION 104. Provides that in any city in which a public library association now exists any municipal body having control of a free library maintained by public bodies, is given power to transfer without compensation such free library to such public library association, and to pay to such library association any sums which such municipal body may be empowered to expend for a free library. Provided that this shall not be done unless the by-laws of such library association make the presiding officer of such municipal body and the superintendent of public schools ex-officio trustees of such library association and also provide for keeping open such free library in a convenient place for the free use of teachers, pupils of the public schools, and citizens of such city, subject to the rules of the association.

SECTION 105. Gives library association power to erect a building not to exceed in value twenty thousand dollars (\$20,000).

NEW MEXICO

STATE LIBRARY

LAWS, 1915, PAGE 56, CHAPTER 47

SECTION 1. Trustees:

There is hereby created a board of trustees which shall consist of the chief justice and justices of the Supreme Court of the State of New Mexico who shall have the management, control and supervision of the state library.

SECTION 2. Organization:

The chief justice of the Supreme Court shall act as chairman of said board and the clerk of the Supreme Court shall act as secretary of said board. The members of said board shall serve without compensation.

SECTION 3. Powers:

Said board shall prescribe rules and regulations for the care of the library and its property and for the accommodation of the patrons of the library.

SECTION 4. Purchases:

Said board shall order and purchase all books for the library for which appropriation shall have been made and shall have full management of the financial affairs of the library.

SECTION 5. Payments:

State auditor shall draw warrants on state treasurer for payment of accounts which have been audited by said board to the extent of the appropriation.

SECTION 6. Librarian:

State library shall be under the care of a librarian appointed by said board who shall hold office at the pleasure of said board. Librarian shall have custody of all books, archives and other property of the library or deposited therein.

SECTION 7. Librarian's bond:

Librarian before taking office shall give bond to the State of New Mexico, in the sum of two thousand dollars (\$2,000.00) for the performance of his or her duties.

SECTION 8. Fixes salary of librarian.

SECTION 9. Removal of books:

If the librarian shall permit any person not authorized by rules and regulations prescribed by the trustees, to remove a book or other

property, he shall be deemed guilty of misdemeanor and subject to a fine of ten dollars.

SECTION 10. Removal of books:

Any person not authorized by the rules, who shall take a book or other property from the library, either with or without the consent of the librarian shall be guilty of misdemeanor and subject to a fine of ten dollars for every book.

SECTION 11. Injury to books:

Any person injuring a book or other property of the library, shall forfeit twice the value thereof.

PUBLIC LIBRARIES

STATUTES, 1915, CHAPTER 75, PAGE 1039, MUNICIPAL CORPORATIONS

SECTION 3564, PARAGRAPH 83. Establishment. Maintenance. Regulation:

The establishment and maintenance of a free public library is declared a proper and legitimate object of municipal expenditure and the council of any city or town may appropriate money for the formation and maintenance of a library free to all the inhabitants under proper regulations; for the purchase of land, erection of buildings, hiring of buildings or rooms, for the compensation of employees, provided the amount appropriated in any one year for the maintenance of the library shall not exceed one mill on the dollar. Any city or town may receive, hold and dispose of gifts for the use of the library.

Any city or town having such a library shall be entitled to receive books published by the authority of the state:

Provided, however, that when a city or town has voted to levy an annual tax for the maintenance of a free library, it shall not be necessary to again submit the question of such annual levy to a vote of the people, except on the petition of one hundred resident taxpayers for the increase, decrease or discontinuance of the annual levy, in which event the question of such annual levy, shall be again submitted at the next ensuing municipal election.

SECTION 3694. Park fund:

For the improvement and care of parks in towns and cities in addition to the town or city tax provided by law, there may be levied by trustees or council, a tax not to exceed one mill, provided that no park may have any benefit of the public funds, the title of which has not been conveyed absolutely to the town or city; provided further, that all parks to receive the benefit of any of the provisions of this section shall be conveyed to the cities or towns.

SECTION 3695. Park fund may be divided with library:

The tax authorized by the preceding section may in the discretion of the trustees or council of any town or city levying such tax, be divided between the objects specified in said section and the establishment or maintenance and support of the public library in such city or town.

EXEMPTION FROM TAXATION

CHAPTER 107—TAXATION

SECTION 5430. Exemptions:

The following property shall be exempt from taxation:

* * * all public libraries, the grounds, buildings, books, papers and apparatus of literary, scientific, benevolent, agricultural and religious institutions and societies when the property of said institutions and societies shall be devoted exclusively to the appropriate objects of such institutions and not leased or rented or otherwise used with a view of pecuniary profit.

NEW YORK

STATE LIBRARY

SUPPLEMENT TO ANNOTATED AND CONSOLIDATED LAWS, 1913

VOL. 1, EDUCATION LAW, ART. XLIV

SECTION 1110. How constituted:

All books, pamphlets, manuscripts, records, archives and maps and all other property appropriate to a general library owned by the state and not placed in other custody by law, shall be in charge of the regents and constitute the state library. (Source - Education law 1909, Section 1020).
(Verbatim)

SECTION 1111. State medical library:

The state medical library shall be a part of the New York state library, under the same government and regulation and shall be open for consultation to every citizen of the state at all hours when the state library is open and shall be available for borrowing books to every accredited physician in the state of New York, who shall conform to the rules made by the regents for insuring proper protection and the largest usefulness to the people of the said medical library. (Source - Education law 1909, Section 1021)
(Verbatim)

SECTION 1112. Manuscript and records "on file."

Manuscript or printed papers of the legislature usually termed "on file" and which have been on file more than five years in custody of the senate and assembly clerks and all public records of the state not placed in other custody, by specific law shall be a part of the state library. Regents shall provide for the classification, arrangement, care and use of papers and records. (Source, Education law 1909, Section 1022).

SECTION 1113. State library when open. Use of books:

State library shall be open not less than eight hours every week day in the year except the legal holidays known as Independence Day, Thanksgiving Day and Christmas Day and members of the legislature, judges and heads of state departments may borrow books for use in Albany, subject to restrictions and penalties. Others shall be entitled to use or borrow books on such conditions as regents shall prescribe. (Source, Education law 1909, Section 1023).

SECTION 1114. Duplicate department:

Regents shall have charge of preparation, publication and distribution of Colonial history, natural history and all other state publications, not otherwise assigned by law. For this purpose they shall maintain a duplicate department. (Source, Education law 1909,

Section 1024. References, State printing law, Section 11, Legislative law Section 46-47).

SECTION 1115. Transfers:

The librarian of any library owned by state, or officer in charge of any department, bureau, board or commission, may with the approval of the regents, transfer to the permanent custody of the state library or museum, any books or other property in his charge. (Source, Education law, 1909, Section 1025).

SECTION 1116. Other libraries owned by the state:

The report of the state library to the legislature shall include a statement of the total number of volumes or pamphlets, the number added during the year, a summary of the operations and conditions and any needed recommendation for each of the other libraries owned by the state. Each of these libraries shall be under the sole control now provided by law, but as to the annual report, it shall be considered a branch of state library. (Source, Education law 1909, Section 1026).

LAW LIBRARIES

Education law, sections 1160 to 1180, provide court of appeals libraries, appellate division libraries and supreme court libraries in various parts of the state.

PUBLIC LIBRARIES, FREE LIBRARIES AND MUSEUMS

SUPPLEMENT TO ANNOTATED AND CONSOLIDATED LAWS, 1913, v. 1, EDUCATION LAW, ART. XLIV

SECTION 1117: Public and free libraries and museums:

All provisions of this section and of sections 1118 to 1139 inclusive shall apply equally to libraries and museums and to combined libraries and museums and the word "library" shall be construed to include reference and circulating libraries and reading rooms. (Source, Sections 1117 to 1139 inclusive is Education law 1909, Sections 1027 to 1049 inclusive.) (Verbatim)

SECTION 1118. Establishment:

By majority vote at any election any county, city, village, town, school district or other body authorized to levy and collect taxes or by vote of its common council or by action of a board of estimate and apportionment, or other proper authority any city, or by vote of its trustees, any village may establish and maintain a free public library, with or without branches, either by itself or in connection with any other body authorized to maintain a separate library. Whenever twenty-five taxpayers shall so petition, the question of providing library facilities shall be voted on at the next election or

meeting at which taxes may be voted; provided, that due public notice shall have been given of the proposed action.

A municipality or district named in this section may raise money by tax to establish and maintain a public library or libraries or to provide a building or rooms for its or their use or to share the cost as agreed with other municipal or district bodies, or to pay for library privileges under a contract therefor. It may also acquire real or personal property for library purposes by gift, grant, devise or condemnation, and may take, buy, sell, hold and transfer either real or personal property and administer the same for public library purposes. A board of supervisors of a county may contract with the trustees of a public library within such county, or with any other municipal or district body having control of such a library, to furnish library privileges to the people of the county under such terms and conditions as may be stated in such contract. The amount agreed to be paid for such privileges under such contract shall be a charge upon the county and shall be paid in the same manner as other county charges. (Amended by laws of 1911, Chapter 815, in effect July 28, 1911). (Verbatim)

SECTION 1119. Acceptance of conditional gift.

By majority vote at any election any municipality or district, or by three-fourths vote of its council, any city or any public library in the University or any designated branch thereof, if so authorized by such vote of a municipality, district or council or of any combination of such voting bodies may accept gifts, grants, devises or bequests for public library purposes on condition that a specified annual appropriation shall thereafter be made by the municipality or district, or combination so authorizing such acceptance for maintenance of such library or branches thereof. Such acceptance when approved by the regents of the University under seal and recorded in its book of charters shall be a binding contract and such municipality and district shall levy and collect yearly the amount provided in the manner prescribed for other taxes and shall maintain any so accepted gift, grant, devise, or bequest intact and make good any impairment thereof. (Verbatim)

SECTION 1120. Subsidies:

By vote similar to that required by Section 1118 and 1119, money may be granted toward the support of libraries not owned by the public but maintained for its welfare and free use, provided that such libraries shall be subject to the inspection of the regents and registered by them as maintaining a proper standard; that the regents shall certify what number of the books circulated are of such character as to merit a grant of public money, and that the amount granted yearly to public libraries on the basis of circulation shall not exceed ten cents for each volume of the circulation thus certified by regents. (Verbatim)

SECTION 1121. Closing of museum. Admission fee:

Trustees of any institution supported under this chapter by public money in whole or in part, may so far as consistent with reasonable free use, close any of its collections at certain other hours to meet the demands of special students or for exhibition purposes, and may charge an admission fee at such hours; provided all receipts from such fees shall be paid into the treasury and used for the institution.

SECTION 1122. Taxes:

Taxes in addition to those otherwise authorized, may be voted by any authority named in Section 1118 and for any purpose specified in Section 1118 to 1120 inclusive and shall, unless otherwise directed be considered annual appropriations until changed by further vote; and shall be levied and collected as are other general taxes and all money received for such library shall be kept as a separate fund and expended under the direction of the trustees.

SECTION 1123. Trustees:

Free public libraries established by the voters or their representatives, shall be managed by trustees, who shall have all the powers of trustees of other educational institutions of the university as defined in this chapter provided; unless otherwise specified in the charter, the number of trustees shall be five; shall be elected by the legal voters, except that in cities they shall be appointed by the mayor, with consent of council; that the first trustees determine by lot, whose term of office shall expire each year, and that a new trustee shall be elected or appointed annually to serve for five years.

(Note: New York education law, 1909, article 10, sections 270 to 285 inclusive, prescribe that the powers and duties of school trustees shall, so far as applied to libraries, conform substantially to those prescribed for trustees in other states. Section 275, paragraph, 7, makes it the duty of the school trustees to insure the school library).

SECTION 1124. Incorporation:

Within one month after taking office the first board of trustees of any such free public library shall apply to the regents for a charter in accordance with the vote establishing the library. (Verbatim)

(Note: Education law of New York, sections 60 to 62 inclusive, provide conditions of incorporation and the granting of charters.

SECTION 1125. Use of library:

Every library established under section 1118 shall be forever free to the inhabitants of the locality, subject to the rules of the trustees and the trustees may, under such conditions as they think expedient,

extend the privileges of the library to persons living outside such locality.

SECTION 1126. Reports:

Every library and museum which receives state aid or enjoys exemption from taxation or other privilege not usually accorded to business corporations, shall make the report required by section 58 of this chapter and such report shall relieve institutions from making any report now required to be made to the legislature or any other department. These reports shall be summarized and transmitted to the legislature.

(Note: Section 58 of this chapter gives the regents or their representatives power to visit and inspect all educational institutions, to require reports from the same and to suspend the charter for failure to report).

SECTION 1127. Injuries to property:

Whoever intentionally injures, defaces, or destroys any property belonging to any incorporated library or other educational institution shall be punished by imprisonment in the state prison for not more than three years, or in the county jail for not more than one year, or by a fine of not more than five hundred dollars or by both such fine and imprisonment.

(Note: Removal of books in libraries and injuries to property a misdemeanor. Penal law, section 1427 and 1428).

SECTION 1128. Detention:

Whoever wilfully detains any book, newspaper, magazine, pamphlet, manuscript or other property belonging to any public or incorporated library, reading room, museum or other educational institution for thirty days after notice in writing to return the same, given after the expiration of the time which by the rules of such institution, such article or other property may be kept, shall be punished by a fine of not less than one nor more than twenty-five dollars or by imprisonment in the jail not exceeding six months and the said notice shall bear on its face a copy of this section.

(Verbatim)

SECTION 1129. Transfer of libraries:

Provides that any corporation, association, school district or combination of districts may by legal vote approved by the regents, transfer conditionally, as provided by section 1119 of this article, or otherwise, the ownership of its library to any municipality, district or public library in the university or any branch thereof and thereafter, such transferee shall be entitled to receive money, books or other property from the state or other sources to which the transferring body would have been entitled and the transferring body shall be relieved of all responsibility pertaining to the property transferred.

SECTION 1130. Local neglect:

Provides that if the local authorities of any library receiving state aid fail to provide for the usefulness of the library, the regents on giving notice may suspend all right to further grants and if the trustees neglect to comply with the requirements sixty days after service of notice the regents may remove them and assume full control of the library.

SECTION 1131. Loan of books from state:

Under such rules as the regents may prescribe they may lend from the state library duplicate department or from books specially given or bought for this purpose, a selection of books for a limited time to any public library in this state under visitation of the regents or to any community not yet having established such library, but which has conformed to the conditions required for such loan. (Source, Education law 1909, section 1051). (Verbatim)

SECTION 1132. Advice and instruction:

The trustees or librarian or any citizen interested in any public library in this state shall be entitled to ask and receive from the officers of the state library, advice or instruction as to establishment and organization of a library. Regents may provide for giving such advice by state library staff or by library commission. Regents may on request furnish books instead of money apportioned; such assistance shall be free to residents of the state so far as practical, but the regents may charge a proper fee to non-residents or for assistance of a personal nature. (Source, Education law 1909, sections 1039, 1042).

SECTION 1133. Apportionment of public money:

Such sum as shall have been appropriated by the legislature as public library money shall be paid annually by the treasurer on the warrant of the comptroller from the income of the United States deposit fund, according to an apportionment to be made for the benefit of free libraries by the regents in accordance with their rules and authenticated by their seal; provided, that none of this money shall be spent for books unless approved by the regents; that no locality shall share in the apportionment unless it raise and use for the same purpose an equal amount from taxation or other local sources; that for any part of the apportionment not payable direct to the library trustees, the regents shall file proper vouchers showing that it has been spent in accordance with the law, and that books paid for by the state shall be subject to return to the regents whenever the library shall neglect or refuse to conform to the ordinances under which it secured them. (Source, Education law 1909, section 1043).

SECTION 1134. Abolition:

Any library established by public vote or action of school authori-

ties under section 1118 of this chapter, may be abolished only by a majority vote at a regular annual election ratified by a majority vote at the next annual election. If any such library is abolished its property shall be used, first to return to the regents the equivalent of such sums as it may have received from the state or from other sources as gifts. After such return any remaining property may be used as directed by the vote abolishing the library, but if the entire property does not exceed the amount of such gifts, it may be transferred to the regents and the trustees shall be free from further responsibility. No abolition shall be lawful until the regents grant a certificate that its abolition is in accordance with the law. (Source, Education law 1909, section 1044).

SECTION 1135. Use and care of school library:

School library shall be part of the school equipment, kept in the school building and devoted to the use of the school except as otherwise provided by the commissioner of education, and except in a district where there is no free public library,—in which case such school library shall be a circulating library for the use of the residents of the district.

(1) The commissioner of education shall prescribe rules for the purchase and care and loaning of books to pupils and teachers;

(2) shall prescribe the conditions under which books may be used by the public;

(3) rules for the use of school libraries as circulating libraries by the residents of the district;

(4) the contents and submission of reports by school libraries.
(As amended, Laws, 1914, chap. 51, section 1)

SECTION 1135 a. Librarian:

Provides for the employment of a librarian, who may be the librarian of a free public library. In case of failure to make such appointment, a teacher shall act as librarian.

(Laws, 1914, chap. 51, section 2)

SECTION 1136. Existing rules in force:

All existing provisions of law and rules shall hold good until altered in pursuance of law.

SECTION 1137: Authority to raise and receive money:

Each city and school district in the state is hereby authorized to raise monies by tax in the same manner as other school monies are raised, or to receive monies by gift or devise for starting, extending or caring for the school libraries. (Verbatim)

SECTION 1138. Transfer of school library to public library:

Gives any board of education authority to transfer its property to

any free public library under state supervision or to aid in establishing such library. A receipt from the officers of such public library approved by the regents, shall forever relieve said school authorities of further responsibility for said library.

SECTION 1139. Transfer of property not in charge of librarian:

Any books or other library property belonging to any district library which have not been in direct charge of a librarian within one year, shall with the written permission of the regents be taken and owned by any public library under state supervision, provided that such library property be found in the territory for which such public library is maintained and further, provided that on written request of the school authorities any dictionaries, encyclopedias and pedagogical books shall be placed in the school library of the district.

SECTION 1140. Changed to free public library:

In any district in which the school library is a circulating library, under the provisions of section 1135, the school authorities in their discretion may appoint five trustees, who shall apply to the regents for a charter; and upon incorporation, the school authorities may transfer to them the library property, as provided in section 1138. (As amended, Laws, 1914, chap. 51, section 3).

SECTION 1141. Penalty for disobedience to library law:

The commissioner of education is hereby authorized to withhold its share of public school monies from any city or district which uses school library monies for any other purpose than that for which they are provided, or for any wilful neglect or disobedience of the law, rules or orders of said commissioner in the premises. (Source of Sections 1135-1141 is Education law, 1909, sections 1045-1051).

TRUSTS FOR PUBLIC PARKS AND LIBRARIES

SUPPLEMENT TO ANNOTATED AND CONSOLIDATED LAWS, 1913, VOL. 1, PAGE 1124, GENERAL MUNICIPAL LAW

SECTION 140. Trusts for public parks and libraries:

It shall be lawful to grant and devise real estate and to give and bequeath personal property to trustees and their successors in trust for the purpose of creating, continuing and maintaining according to the terms, conditions, and provisions of such grant, gift, devise or bequest, one or more public parks or a public library, or for the purposes of aiding and instructing children or for any one or more of such purposes in any city, village or town in this state. The number of such trustees shall be not less than three nor more than nine. (Verbatim)

SECTION 141. Trustees a corporation:

Whenever any grant, gift, devise, or bequest shall be made under

the provisions of this article, such trustees shall thereupon become a body politic and corporate with full powers thereof.

SECTION 142. Eligibility:

In case of vacancy, the place may be filled by the remaining trustees in default thereof after three months, by the supreme court on petition.

SECTION 143. Management and appropriation of property:

Trustees created under provisions of this article shall have custody and management of all property of such corporation for aiding and instructing children, for establishing and maintaining a park, for furnishing and supplying a library with proper edifice, books, equipment and for maintaining the same.

SECTION 145. Visitation of supreme court:

All corporations under the provisions of this article shall be subject to visitation and inspection of justices of supreme court; shall file annually a certificate giving names of trustees and inventory of property; shall be entitled to such compensation as court shall fix, shall be subject to the control of the court as to their conduct of business.

NORTH CAROLINA

STATE LIBRARY

PELL'S REVISAL, 1908, VOL. 2, CHAPTER 108

SECTION 5068. Location:

State library shall occupy rooms in the supreme court building (1885).

SECTION 5069. Trustees. Duties and powers:

Governor, superintendent of public instruction and secretary of state shall be trustees. Trustees shall make rules, and make distribution of books, reports, etc.

SECTION 5070. Librarian's seal.

SECTION 5071. Records procured and published.

SECTION 5072. Trustees may sell publications.

SECTION 5073. Colonial records sent to certain states.

SECTION 5074. Governor to designate documents to be preserved.

SECTION 5075. Penalty for injury to books.

SECTION 5076. Committee to purchase books.

SECTION 5077. Librarian elected quadrennially; to give bond.

SECTION 5078. Librarian may employ an assistant.

SECTION 5079. Librarian to receipt for laws of other states.

SECTION 5080. Colored people—separate reading room for.

SECTION 5081. Appropriations.

SECTION 5082. Hours of opening.

LAW LIBRARY

SECTION 5083. Location:

Law library shall occupy rooms in supreme court building.

SECTION 5084. Trustees. Powers and duties:

Justices of supreme court are appointed trustees of law library. Justices shall have charge of the law library, and may in their discretion employ a librarian.

SECTION 5085. Hours of opening.

SECTION 5086. Appropriations.

DOCUMENT LIBRARY

SECTION 5087. Document library shall occupy rooms in capitol.

SECTION 5088. Librarian of such library shall be custodian.

SECTION 5089. Provides assistant librarian.

SECTION 5090. Librarian to procure books.

SECTION 5091. Hours of opening.

HISTORICAL COMMISSION

PELL'S REVISAL, 1908, v. 2

SECTION 4539. Creation. Term of office. No compensation.

Historical commission shall consist of not more than five persons appointed by the governor for terms of six years after first appointment. Shall serve without salary. Expenses allowed for not more than four meetings annually.

GREGORY'S SUPPLEMENT TO PELL'S REVISAL, 1914

SECTION 4540 a. Duties of commission:

It shall be the duty of the commission to collect from newspapers, records, etc., data pertaining to the history of North Carolina; to provide for the proper marking of historical places; to diffuse knowledge in regard to North Carolina; to report biennially to the governor; to cooperate in the Jamestown Exposition, spending not more than five thousand dollars for that purpose.

PELL'S REVISAL, 1908, v. 2

SECTION 4541. Powers:

Shall have power to adopt a seal, make rules, fix expenditure of funds; must provide free one copy of its publications to public libraries making application.

SECTION 4541 a. Provides offices in the state library building.

SECTION 4541 b. Transfers to it all documents in the hands of public officials.

SECTION 4541 c. Appropriates annually five thousand dollars (\$5,000) and funds derived from the sale of its publications, for the support of the commission.

LEGISLATIVE REFERENCE LIBRARY

LAWS, 1915, PAGE 277, CHAPTER 202

An act to establish a legislative reference library.

SECTION 1. Establishment. Librarian and his duties:

Authorizes historical commission to appoint qualified person as leg-

islative reference librarian, whose duty it shall be to collect, tabulate, annotate and digest information for the use of the general assembly and other state officials, upon all questions of state, county and municipal legislation; to make reference to similar legislation in other states and nations; to have available the laws of other states and nations, as well as those of North Carolina and such other books, etc., as may throw light upon questions under consideration; to keep the Revisal of 1905 revised to date; to classify all public bills introduced into the general assembly; to perform such other duties as may be required by the historical commission; at the request of members of the assembly to secure all available information on any particular subject named.

SECTION 2. Exchange of publications:

Other state departments shall supply historical commission with copies of publications, for exchange with other states.

SECTION 3. Printing of publications:

Provides for printing of the bulletins, etc., of the legislative reference library, as other state printing.

SECTION 4. Appropriates five thousand dollars (\$5,000) annually for the foregoing purposes.

STATE LIBRARY COMMISSION

PUBLIC LAWS, 1909, PAGE 1281, CHAPTER 873, ACT TO ESTABLISH
A LIBRARY COMMISSION

SECTION 1. Appointment:

There is hereby created a library commission that shall be known as the library commission of North Carolina. It shall consist of the superintendent of public instruction, the state librarian, two other persons who shall be appointed by the North Carolina Library Association, and one other person who shall be appointed by the governor, all of whom shall serve without compensation. Upon the passage of this act the governor shall appoint one person to serve one year, the North Carolina Library Association one person to serve two years and one person to serve three years. As these terms expire, annually thereafter one person shall be appointed for three years by the governor and by the North Carolina Library Association, according to the vacancy to be filled.

SECTION 2. Commission shall elect its own officers annually.

SECTION 3. Duties of Commission:

Commission shall give assistance, advice and counsel to all libraries in the state, to all communities proposing to establish libraries, as to the best means of establishing libraries, selection of books, cataloging, maintenance and other details. The commission may aid

in organizing new libraries and improving those already organized, and may establish and maintain traveling or other libraries. Commission shall employ a secretary not of its own number, trained in modern library methods, who shall receive such compensation as the commission may decide and shall perform the usual duties of a secretary and such other duties as may be assigned.

SECTION 4. Reports of libraries:

Every public library in the state shall make an annual report to the commission. The term "public library" shall for the purpose of this act include free public libraries, subscription libraries, school, college and university libraries, Young Men's Christian Association, legal association, medical association, supreme court and state libraries.

SECTION 5. Report of commission:

Commission shall make a biennial report to the governor, which shall be printed.

SECTION 6. Expenses:

No member of the commission shall ever receive any compensation for service, but the actual traveling expenses and other necessary expenses connected with the work may be paid.

SECTION 7. Appropriation:

Appropriates four thousand dollars for the use of commission. (As amended Laws, 1913, chap. 175, and Laws, 1915, chap. 161).

SECTION 8. Office:

The board of public buildings may allow suitable offices for the use of the commission.

PUBLIC LIBRARIES

LAWS, 1911, PAGE 242, CHAPTER 83

An act to provide for the establishment and maintenance of public libraries.

SECTION 1. Establishment. Tax levy:

The board of aldermen or town commissioners of any incorporated city or town upon the petition of twenty-five percent of the registered voters thereof, shall submit the question of the establishment of a free public library to the voters at the next municipal election. If a majority of votes on said question be affirmative, the aldermen or commissioners shall establish the library or reading room and levy a special tax, not more than ten cents on one hundred dollars, or thirty cents on the poll. The funds so provided shall constitute the library fund, which shall be kept separate from all other funds and expended exclusively upon such library.

SECTION 2. Trustees:

Aldermen or commissioners shall appoint six trustees; not more than one of the aldermen or commissioners shall at any one time be a member of such board. At the first appointment two trustees shall be appointed for two years, two for four years and two for six years, and thereafter for six years. The aldermen or commissioners may remove any trustee for incapacity, misconduct or neglect. No compensation shall be allowed any trustee.

SECTION 3. Organization and powers:

Trustees shall organize by electing one of their number president and one secretary-treasurer and such other officers as they deem necessary. Secretary-treasurer shall give bond. Board shall adopt by-laws for its own guidance and for the government of the library; shall have exclusive control of the expenditure of all monies; with the consent of the aldermen or commissioners, they may lease, purchase or erect any appropriate building, provided that not more than one-half the income of any one year be applied for this purpose. Board may appoint a library staff, prescribe rules for their conduct, fix their compensation; shall have power to remove appointees and may extend the privilege of the library to non-residents, upon such terms as it may prescribe.

SECTION 4. Title to gifts:

All property given, granted, conveyed, donated, devised or bequeathed to, or otherwise acquired by any city or town for a library shall vest in and be held in the name of such city or town, and any conveyance, grant, donation, devise, bequest or gift to, or in the name of, any public library board shall be deemed to have been made directly to such city or town.

SECTION 5. Acceptance of gift:

With the consent of the board of aldermen or town commissioners, expressed by ordinance or resolution, and within the limitations of this act as to the rate of taxation, the library board may accept any gift, grant, devise or bequest made or offered by any person for library purposes, and may carry out the conditions of such donations; and the city or town in all such cases is authorized to acquire a site, levy a tax and pledge itself by ordinance or resolution to a perpetual compliance with all terms and conditions of the gift, grant, devise or bequest so accepted.

SECTION 6. Library shall be free.

Every library established under this act shall be forever free to the use of the inhabitants of the city or town, subject to such reasonable regulations as the board of trustees may adopt.

SECTION 7. Reports:

Boards of trustees shall report annually to the aldermen or town commissioners.

SECTION 8. Penalties:

Aldermen or town commissioners shall have power to pass ordinances imposing suitable penalties for injury to library property or failure to return library books.

SECTION 9. Contract for association library:

If there exists in any city or town a secular or non-sectarian library, the aldermen or town commissioners may levy the tax herein provided for, and, in lieu of supporting the public library, enter into a contract for the purpose of providing the inhabitants of the city or town with the free use of such library upon such conditions as may be agreed upon between the aldermen or town commissioners and the society or corporation having charge of said library, provided that all money paid to such society or corporation shall be expended solely for the maintenance of the library.

SECTION 10. Does not interfere with existing libraries:

Nothing in this act shall be construed to abolish or abridge any power or duty conferred upon any public library established by virtue of any city or town charter or any other special act.

SCHOOL LIBRARIES

LAWS, 1911, CHAPTER 89, EDUCATION

SECTION 4172. How established:

Whenever the friends of any public school in which a library has not been established by aid of the state shall raise and tender to the treasurer of the county school fund, a sum of ten dollars (\$10) for the establishment of a library to be connected with such school, the county board of education shall appropriate to the general county school fund, the sum of ten dollars (\$10), and shall appoint one intelligent person to be manager of the library. County board shall appoint one competent person, well versed in books, to select books for such libraries that may be established under these provisions.

SECTION 4173. State board to contribute:

As soon as such board shall have made an appropriation for a library in the manner prescribed, the county superintendent shall inform the secretary of the board of education, whereupon the state board shall remit to the treasurer of the county school fund the sum of ten dollars.

SECTION 4174. Books and equipment:

Treasurer to order books and to purchase bookcases at the expense of the county school fund.

SECTION 4175. Rules to be made by state superintendent.

SECTION 4176. Local managers of libraries may exchange libraries.

SECTION 4177. State aid:

For each five dollars contributed, the state board of education shall remit five dollars.

SECTION 4178. Limits the number of libraries which may be so established.

SECTION 4179. Appropriation:

Makes biennial appropriation of seven thousand five hundred dollars (\$7,500.00) for the foregoing purpose. (1901).

NORTH DAKOTA

STATE (LAW) LIBRARY

LAWS, 1913, VOL. 1

SECTION 1843. Custodian:

Clerk of supreme court shall have care and custody of state law library.

SECTION 1844. Appropriations:

Appropriates two thousand (\$2,000) dollars annually for the purchase of books for the state law library. (1911).

SECTION 1845. Librarian:

Authorizes the clerk of supreme court to employ librarian and assistant librarians and appropriates twelve hundred (\$1200) dollars annually therefor.

SECTION 1846. Expenses:

Provides for payment of bills of verified accounts.

STATE EDUCATIONAL LIBRARY

LAWS, 1913, VOL. 1

SECTION 1454. Appropriation:

There is hereby appropriated out of any funds in the state treasury the sum of three hundred (\$300) dollars annually for the purchase of reference or pedagogical books for the state educational library in the office of the superintendent of public instruction. (Rev. Code, 1905, Section 1030.)

STATE LIBRARY COMMISSION

COMPILED LAWS, 1913, v. 1

SECTION 1530. There is hereby created a state public library commission, consisting of five members. (Verbatim)

SECTION 1531. Commission. Salary of librarian. Conditionally abolishing commission:

Governor, state superintendent of public instruction, secretary of state, state auditor, and commissioner of agriculture and labor, shall constitute the state library commission. Commission shall appoint an executive officer to be known as secretary, who shall receive an annual salary of eighteen hundred dollars (\$1,800), who shall control the work and shall be director of library extension; provided, however, that if this legislative assembly enacts a law creating a board of regents to control all state educational institutions, then this commission shall be abolished and such board of

regents shall assume and take over all the duties of the commission as a part of the duties of said board of regents. (As amended Laws 1915, Chapter 238, Section 1.)

SECTION 1532. Term of office:

Members appointed by the governor shall hold office, one for four years from April 1, 1909 and one for six years from April 1, 1909, appointments thereafter shall be made for six years; vacancies shall be filled for unexpired term. (Repealed, Laws 1915, Chapter 238, Section 2.)

SECTION 1533. Expenses:

No member shall receive any compensation of any kind as such, members shall be allowed necessary expenses.

Note: Section 653 c, appropriated for the period of thirty months from January 1, 1913 to July 1, 1915, twenty thousand dollars (\$20,000) for the salaries and expenses of state library commission. Section 653 b, prescribes method of payment.

SECTION 1534. Duties of commission. Traveling libraries. Legislative reference bureau.

The commission shall take over and add to the educational reference library, the system of traveling libraries; shall continue and increase the same as its funds permit. Any city, town, village, school district or community within the state may borrow books under the regulations of the state library commission. Commission shall organize, and make rules under which its business shall be done.

It shall establish a legislative reference bureau for the information and assistance of the members of the legislative assembly in the work of legislation. The legislation of other states and information upon legal and economic questions shall be classified and catalogued in such a way as to render same easy of access to members. It shall be the duty of the legislative librarian to assist, in every way possible, the members of the assembly in obtaining information and preparing bills.

SECTION 1535. Advice and aid:

The librarian or trustees of any public library, or the trustees of any village, town or community, may, without charge, ask and receive advice and instruction from said commission upon organization, maintenance or administration of libraries; and said commission shall, as far as possible, assist, by counsel and encouragement, the formation of libraries, and may send its members to aid in this.

SECTION 1536: Statistics. Report:

The commission shall keep statistics of free public libraries, the record of work done and books loaned by commission and shall make full report to each general session of the legislature.

(Note: Constitution of North Dakota Section 55 provides that the sessions of the legislative assembly shall be biennial except as otherwise provided in this constitution. Section 75 says the governor shall have power to convene a legislative assembly on extraordinary occasions).

SECTION 1537. Offices:

There shall be provided in the capitol building adequate office room, properly equipped.

SECTION 1538. Appropriation:

There is hereby appropriated for the use and purposes of the state library commission any unexpended balances in the funds appropriated for the educational reference library and traveling libraries and also an annual appropriation of seventy-eight hundred (\$7800) dollars out of any monies in the state treasury not otherwise appropriated.

(Note: Source, Laws of 1909, Chap. 156, Section 9).

Note: Sections 1530-1538 are retained as they prescribe the duties of the State Library Commission, which are taken over by the State Board of Regents, provided in the following chapter 237:

The secretary and director of library extension provided in section 1531 is retained by the State Board of Regents.

STATE BOARD OF REGENTS

LAWS, 1915, CHAPTER 237

SECTION 1. State board of regents. Institutions under its control:

A state board of regents consisting of five members is hereby created, for the general control and administration of the following state educational institutions:

1. State university and school of mines, Grand Forks.
2. State agricultural college, Fargo.
3. School of science, Wahpeton.
4. State normal schools, Valley City, Mayville, Minot.
5. Normal and industrial school, Ellendale.
6. School of forestry, Bottineau.
7. Such other state educational institutions as may be hereafter established.

SECTION 2. Who appointed. Qualifications. Terms:

Shall consist of five members, electors and tax-payers, appointed for fitness, one member and not more than two from each congressional district; not more than one member from one county; not more than one graduate of any institution under its charge; no person who has been connected with any institution under its charge within two years shall be eligible.

Governor to appoint, with consent of the senate. Terms after first appointment to be for six years. Board shall organize, elect a president of its number, and a secretary at a salary not to exceed two thousand, five hundred dollars (\$2,500) per annum.

SECTION 3. Vacancies:

Governor may remove any member for cause, and shall fill vacancies in same manner as first appointments.

SECTION 4. Oath of office. Bond:

Members shall qualify by taking oath and giving bond of ten thousand dollars (\$10,000) approved by the governor, the premium for which shall be paid by the state.

SECTION 5. Compensation:

Members shall receive seven dollars (\$7) per day, and necessary traveling expenses while attending meetings or performing special duties directed by the board.

SECTION 6. Board shall have offices in capitol building, and necessary equipment, supplies and clerical assistance.

SECTION 7. Specifies the duties of the board towards the institutions under their charge; provides for a commissioner of education at a salary not over five thousand dollars (\$5,000). Board shall report biennially to the governor.

SECTION 8. Meetings:

Board shall hold annual meeting in Bismarck, quarterly meetings in various institutions under their charge, special meetings upon call.

SECTION 9. Provides for payment of expense bills.

SECTION 10. Appropriates eighteen thousand dollars (\$18,000) annually.

SECTION 11. Repeal:

Existing laws relating to the institutions, which are not inconsistent with the provisions of this act, shall remain in full force; and all acts or parts of acts in conflict with or inconsistent with this act are hereby repealed.

SECTION 12. Emergency:

States that an emergency exists, and authorizes the board to take full control July 1, 1915. (Approved March 4, 1915).

FREE LIBRARIES IN CITIES AND VILLAGES

COMPILED LAWS, 1913, VOL. 1

SECTION 4007. Library fund:

City council of each city not exceeding in population fifty thousand and each village or township board of every village and township containing over four hundred inhabitants, shall have power to establish and maintain a public library and reading room, and for such purpose may annually levy a tax not exceeding four mills on each dollar for such a library fund which shall be kept separate and used exclusively for such purpose; provided: that no library shall be established without first receiving the approval of a majority of the electors of such city, village or township, voting on such question at any general election at which it may be submitted to a vote.

SECTION 4008. Directors: Appointment:

For the government of such library and reading room, there shall be a board of five directors, appointed from the citizens of such city, village, or township, of both sexes, who shall be appointed by the board of education, or school board of such city, or village, or where there is no incorporated city or village, by the supervisors of such township and there shall be one member of such board of education or school board or board of supervisors, appointed as one of the directors of such library. Such directors shall hold office for three years, but upon their first appointment, one shall hold office for one year, two for two years and two for three years. Vacancies shall be filled in the same way. No compensation whatever shall be paid or allowed any director in such official capacity.

SECTION 4009. Duties and powers:

Directors shall organize by electing from their own number a president and a secretary, shall make rules and regulations, shall have exclusive control of expenditures, the supervision and custody of all library property; may with the approval of the board of education, school board or township supervisors, build, lease or purchase an appropriate building and a site therefor, not however, employing in such purchase or building more than one-half the income of one year.

SECTION 4010. Regulation:

Every library and reading room established under this article shall be forever free for the use of the inhabitants of the city, village, or

township where located, subject to reasonable rules and regulations of the directors.

SECTION 4011. Report:

Directors shall report annually to the board of education, school board or board of supervisors.

SECTION 4012. Donations:

All persons desirous of making donations of money, books, personal property or real estate for the benefit of such library shall have the right to vest the same in the board of directors, to be held and controlled by such board when accepted, for the use of such library and reading room and as to such accepted property, said board shall be held and considered to be special trustees.

(Verbatim)

SECTION 4013. Appropriation of funds:

Provides that, to aid the organization of a library in any city, village or township where funds have been given or a library organized, the city council or village trustees are authorized to appropriate additional funds and organize a library under the conditions of this law.

SCHOOL LIBRARIES

LAWS, 1915, CHAPTER 132

SECTION 1176 of the Compiled Laws of North Dakota, 1913 is hereby amended and re-enacted to read as follows:

SECTION 1176: Provides that the district school board shall, with the approval of the county superintendent, provide each school necessary apparatus including a dictionary recognized as a standard; that it shall appropriate not less than ten nor more than twenty-five (\$25.00) dollars for each school having a school library, books to be selected from a list authorized by the superintendent of public instruction; books shall be bound, provided that when the school library has two hundred books it shall be obliged to expend therefor five (\$5.00) dollars annually, when it has three hundred volumes, school board shall not be obliged to increase the number, but shall keep the books in good condition or replace them.

SECTION 1177. Care of library. Librarian:

The district school board shall have the custody of the library, may appoint a librarian, make rules for the use of the library, impose penalties for injury to books, may exchange any or all of the library with other districts, may accept donations, but it shall exclude therefrom all books unsuited to the cultivation of good character, and good morals and manners, and no sectarian publication devoted to the discussion of sectarian differences and creeds shall be admitted to the library; shall be held accountable for the care of the library and shall report annually to the county superintendent.

OHIO

LIBRARY COMMISSION—STATE LIBRARY

ANNOTATED GENERAL CODE, 1912

SECTION 788. State board of library commissioners:

State board of library commissioners shall be composed of three members. The governor biennially, with consent of the senate, shall appoint one commissioner for a term of six years. Vacancies shall be filled in the same way. Members of the board shall receive no compensation.

SECTION 789. Librarian. Rules:

Library commissioners shall have the management of state library, shall appoint and remove the librarian with the consent of the governor and with the consent of the librarian shall appoint the assistants who shall serve during the pleasure of the board; shall make rules for the government and use of the library.

SECTION 790. Bonds:

Librarian shall give bond for ten thousand (\$10,000.00) dollars and each assistant for one thousand (\$1,000.00) dollars.

SECTION 791. Secretary:

Librarian shall be secretary of the board and shall perform the duties pertaining to that office.

SECTION 792. Duties of librarian:

Librarian shall have charge of the state library, shall enforce the rules established by the general assembly and the library commissioners.

SECTION 793. Information to libraries:

Upon request of the librarian or trustees of a public library or persons interested in establishing a library, the commissioners shall furnish advice and information concerning the organization, maintenance and administration of such library.

SECTION 794. Library organizer:

The library commissioners may appoint a library organizer, who shall keep informed of the condition, scope and methods of the various public libraries in the state, visit them as occasion may require, give advice and information when requested, and as far as practicable, assist in promoting and establishing new libraries; shall report annually to the board.

SECTION 795. Exchanges:

Library commissioners shall arrange to exchange state publications

for like publications of other states, nations, societies or individuals. Statute laws so received shall be transferred to the state law library.

SECTION 796. Publications:

Library commissioners may forward copies of the publications of the state to any university, college, public library, etc.

SECTION 797. Expenses:

The library commissioners shall direct the expenditure of appropriations for the maintenance and support of the state library. They may expend not exceeding one thousand (\$1,000.00) dollars each year for incidental expenses.

SECTION 798. Report:

Library commissioners shall make an annual report to the governor.

LEGISLATIVE REFERENCE LIBRARY

SECTION 798-1. Creation:

There is hereby created in connection with the state library a legislative reference and information department for the use especially of the general assembly, the various state officers and such other persons as may desire to consult the same.

SECTION 798-2. Legislative reference librarian:

The library commissioners shall appoint an assistant who shall be known as the legislative reference librarian, shall have charge of the said department under the supervision of the state librarian. They are authorized to appoint such other assistants as may be required.

SECTION 798-3. Duties:

The legislative reference librarian shall index and make available the information in the various public documents, shall compile and make accessible information on current legislation in other states and countries, shall furnish assistance to the members of the general assembly in the preparation and formulation of bills and perform such other duties as may be prescribed.

SECTION 798-4. Bills, etc.:

At the close of each session of the assembly the clerk of the assembly and the clerk of the house shall deliver copies of bills, resolutions, petitions, memorials and other legislative documents to the legislative reference librarian.

SECTION 798-5. Expenditure:

The library commissioners may expend in the equipment of the legislative reference department not to exceed one thousand dollars

and for its maintenance such sums as the general assembly shall from time to time determine.

COUNTY LIBRARIES

SECTION 2454. Bequests:

The county commissioners may receive a bequest or gift of a building, money or property wherewith to construct a building or to furnish and equip a county public library. They may accept the gift of a library or its use for a term of years or permanently and may agree on behalf of such county to provide and maintain such library.

SECTION 2455. Contract for use of library:

A library association or other organization owning or having control of a library, or a board of trustees having control of a library free to the whole or a part of the county, may contract with the county commissioners for the use thereof by the people of such county.

SECTION 2456. Tax for maintenance:

A county accepting such bequest or gift, or entering into such agreement, shall faithfully maintain such library. Each year the commissioners thereof may levy a tax not to exceed one-half mill on each dollar of taxable property in such county. The fund derived therefrom shall be known as the "library fund," and used only for the purpose contemplated in this section.

COUNTY LAW LIBRARIES

SECTION 3054. Librarian:

In all counties in which there is a law library association which furnishes to the county officers and the judges of the several courts of the county admission to its library free, when the trustees appoint a librarian, the judges shall fix his compensation which shall be paid from the county treasury. In counties having not more than one judge, such compensation shall not exceed five hundred dollars per annum.

SECTION 3055. Rooms:

County commissioners shall provide, at the expense of the county, a room or rooms with furniture in the county court house, or if this is not practicable, in some other rooms at the county seat and shall heat and light them. Property of law library associations shall be exempt from taxation.

SECTION 3056. Allowances:

Fines and penalties assessed and collected in the police court and the

court of common pleas with certain deductions, shall be used for the support of a law library.

SECTION 3057. Use of library:

Justices of the peace, officers of the township, villages and cities in the county shall have free use of the books.

SECTION 3058. Report:

Trustees shall report annually to the auditor.

LIBRARIES IN TOWNSHIPS

SECTION 3403. Petition:

On a petition of twenty electors published four weeks, trustees of the township shall submit to the electors at the general election in November, the question whether there shall be a public library established in the township for the use of the citizens thereof.

SECTION 3404. Election. Tax:

If a majority of the voters voting at such election, vote in favor thereof, the trustees may annually levy a tax not to exceed one mill to be applied for the establishment and maintenance of the library.

SECTION 3405. Trustees:

Township trustees shall appoint three trustees of the said library and confer upon them all necessary authority. The library trustees shall prescribe rules.

SECTION 3406. The transfer of school libraries:

Local boards of education may transfer books of the school libraries to the township library.

SECTION 3407. Use of private library.

The township trustees may levy annually one-half mill and pay it to a private association which maintains a free library for the benefit of the inhabitants of the township as compensation therefor.

SECTION 3408. Report:

Township trustees shall require the treasurer of such association to make an annual report.

SECTION 3409. Funds:

On the certificate of the county auditor the township clerk shall cause to be transferred, the funds to the treasurer of the library association.

SECTION 3410. Distribution of property:

If at any time, such library corporation ceases to exist or fails to provide a free public library, the books and other property accumu-

lated from the proceeds of the levy shall become the property of the township.

SCHOOL DISTRICT LIBRARIES

SECTION 7631. Establishment:

Board of education of any municipality, township or school district may provide a public library free to all the inhabitants thereof. It may acquire the necessary real property, may erect a building, may acquire the property of a library association, may receive donations and bequests, may maintain libraries now in existence and controlled by the board.

SECTION 7632. Levy:

Such board of education may make a levy annually of not to exceed one mill for library fund to be expended by the board for such library.

SECTION 7633. One library in two or more districts:

When a donation or bequest is made to two or more school districts jointly and the money so donated expended in the purchase of a site and the erection of a building, the provisions of this subdivision shall apply. In such case the board of education of each of the districts annually may levy not exceeding one mill for the maintenance of such library, and the library building may be located at a convenient place in either district.

SECTION 7634. Trustees:

Control of such building, library and expenditure of all moneys shall be vested in a board of six trustees, three to be appointed by each of the boards of education for a term of five years. They may serve without compensation. Vacancies to be filled in the same way.

SECTION 7635. Library board:

Board of education may provide for the management and control of such library by a board of trustees to be elected by it as herein provided.

SECTION 7636. Creation:

Such board of library trustees shall consist of seven members, residents of the school district. No one who is or has been for a year previous a member of said board of education is eligible. Term of office seven years; term of one member expiring each year; vacancies filled in the same way for the unexpired term; members to serve without compensation.

SECTION 7637. Powers:

Such library board shall hold title to and control all libraries branches, stations, reading rooms, all library property real and per-

sonal of such school district and the expenditure of all moneys received from any source for library purposes. It may employ a librarian and assistants, but previous to such employment their compensation shall be fixed.

SECTION 7638. Powers, continued:

Such board may by a two-thirds vote of its members, purchase or lease grounds and buildings and erect buildings. It may appropriate land for library purposes if the owner and board can not agree upon terms. It may dispose of land; conveyances shall be executed in the name of the board by its president and secretary. It may put any surplus into the building fund. It may accept any gift, devise or bequest for the benefit of such library. No member of the library board shall be interested directly or indirectly in any contract made by the board. It shall report annually to the board of education.

SECTION 7639. Tax levy:

Such board shall certify annually in the month of May to the board of education, the amount needed for the library during the ensuing year. The board of education shall levy annually such assessment not exceeding one and one-half mills, as shall be necessary to realize without reduction, the sum so certified.

SECTION 7640. Payment:

Proceeds of the tax shall be designated as library fund and payments made upon the warrant of the trustees, signed by the president and secretary.

SECTION 7641. Contract with library corporation:

The board of education of any municipality, township or school district may contract annually with any library corporation maintaining the library, or with any board of trustees having control of the library, for use of such library for residents of such district and annually may levy a tax not exceeding one mill to pay therefor.

SECTION 7642. School library:

The board of education of any school district in which there is not a public library annually may appropriate not to exceed two hundred and fifty (\$250.00) dollars for the purchase of books, other than school books for the use of teachers and pupils of such school district. Books so purchased shall constitute a school library, the control of which shall be in the board of education, which may receive donations and bequests therefor.

SECTION 7643. Museum:

The board of education of any school district or the board of trustees of a library in any school district may found and maintain a museum in connection with such library and for such purpose may receive bequests and donations of money or property.

Note: Among the libraries operated under sections 7635-7640 are two of the largest in the state, Cleveland and Dayton. Dayton has also a museum under Section 7643.

CINCINNATI LIBRARY

SECTION 14993. Every resident of the county within which is situated any city of the first grade and first class having therein established a public library, shall be entitled to free use of such library on such terms not inconsistent herewith as the trustees may prescribe.

SECTION 14994. Powers of trustees:

Trustees of such library shall have charge and control of the public library including all property, shall make rules and regulations, shall control the library fund and its expenditure, shall have power and it shall be their duty to establish in such city and throughout the county, reading rooms, branch libraries, library stations and to pay all necessary expenses connected therewith; shall have power to purchase books, periodicals, supplies, etc., to employ a library staff and fix their compensation and the term of their employment.

SECTION 14995. Library fund:

The said board of trustees may levy annually a tax not exceeding five-tenths of a mill on each dollar valuation of the taxable property of the county wherein is situated such city. Tax so collected shall form a fund known as the "library fund," deposited with the county treasurer and drawn upon the requisition of the board of trustees.

SECTION 14996. Further provisions:

Describes at length the method of collection and expenditure as controlled by other sections of the statutes.

SECTION 14997. Funds previously raised:

Provides that funds already in existence when this act goes into effect shall be transferred to the public library fund provided by this act.

SECTION 14998. Ineligibility:

No member of any appointing board shall be appointed a member of said library board.

SECTION 14999. Carnegie donation:

That the board of trustees of the public library of the school district of Cincinnati be and it is hereby authorized to receive and accept said donation of Andrew Carnegie, upon the terms and conditions therein expressed. The branch libraries constructed under the provisions of said donation to be by said library trustees and their successors, equipped, furnished and maintained and forever kept open for the free use of the public.

Note: This section with 15000 and 15001 following were passed May 9, 1902. They provide for the acceptance of Mr. Carnegie's gift for branch libraries.

SECTION 15000. Bonds for sites:

Provides for the sale of bonds to the amount of one hundred and eighty thousand (\$180,000.00) dollars to furnish sites for branch libraries.

SECTION 15001. Powers of trustees as to sites:

Gives trustees the right by two-thirds vote, to purchase or lease land for sites.

SECTION 15002. Exemptions:

All property real and personal vested in such library board or used for library purposes shall be exempt from taxation and from sale on execution or any writ or order in the nature of an execution.

SECTION 15003. Donations:

Said trustees shall have the right to receive and accept donations of land, money or other thing of value and to invest, use or dispose of the same in the interest of the library.

SECTION 15004. Trustees to control fund:

Said trustees shall have control and disbursement of the fund for library sites.

SECTION 15005. Organization:

Said trustees shall choose from their number, president, vice president, secretary-treasurer and may select a depository within said city, which shall be a national bank or trust company and may contract for the safe-keeping of funds and the payment of interest thereon.

SECTION 15060. Appointment of Cincinnati library board:

First part providing for election of board of managers is obsolete. The following applies to Cincinnati: Provided that in cities of the first grade and the first class, there shall be appointed * * * a board of trustees of said library consisting of seven persons as follows: Two by the board of education of the school district, two by the board having charge of high schools, two by the directors of the university and one by the judges of the court of common pleas of the county [Hamilton Co.]. Terms to be three years. All vacancies to be filled by respective boards having power of appointment.

MUNICIPAL LIBRARIES

SECTION 4004. Construction, equipment, control and administration of free public library established by municipal corporations shall be vested in six trustees, not more than three of whom shall belong

to the same political party, and not more than three of whom shall be women. Such trustees shall be appointed by the mayor to serve without compensation for a term of four years and until their successors are appointed. In the first instance three of such trustees shall be appointed for a term of two years and three for a term of four years. Vacancies shall be filled in like manner.

SECTION 4005. Powers of trustees:

Such trustees shall employ a staff, fix compensation, adopt necessary regulations, exercise all powers and duties connected with the government, operation and maintenance of the library. Four trustees shall constitute a quorum and four votes shall be necessary to pass any measure to authorize any act. In the making of contracts, the trustees shall be governed by the provisions of law applicable thereto.

SECTION 4006. Women may be members:

Any women born or naturalized in the United States, of the age of twenty-one years or upward and resident of the state at least one year, and in the municipality at least thirty days, shall be qualified to serve as trustee.

LIBRARY ASSOCIATIONS

SECTION 4019. The council of each city may levy not to exceed one mill and pay it to a private corporation or association maintaining a free public library, for the benefit of the inhabitants of the municipality as compensation therefor. The council shall require the treasurer of the corporation or association to make an annual financial report.

LIBRARY BUILDING FUND

SECTION 4007. Bonds:

Any public library board charged by law with the title, custody, control and maintenance of a public library, may issue bonds with interest coupons attached to provide buildings for the public library in their charge and to furnish them. In anticipation of the income from such taxes levied from time to time the board may issue and sell bonds bearing interest, payable semi-annually at a rate not to exceed five per cent and in such sums and at such times as the board determines.

SECTION 4008. Record. Limit:

The secretary of the board shall keep a record of the bonds sold. The bonds shall not be sold for less than par value. The library board shall pay such bonds and interest when due, but the total issue shall not exceed three and one-half mills on the dollar of the tax duplicate of the district upon which taxes are levied for the support of such library.

SECTION 4009. Order for issue:

The order to issue such bonds shall be made only at a regular meeting of the board and by a vote of two-thirds of all the members thereof, taken by yeas and nays and entered on the journal of the board.

SECTION 4010. Advertisement:

Such bonds shall be sold to the highest bidder after being advertised once a week for four consecutive weeks.

SECTION 4011. Advertisement:

The advertisement shall give full details and the privilege shall be reserved to reject all or any bids. Premiums as well as principal shall be credited to the fund on account of which they are sold.

SECTION 4012. Election:

No order for the issue of such bonds shall become operative until the question of such issue has been submitted to the qualified electors of the district maintaining the library, at a general or special election and has been approved by a majority of the voters voting thereon at such election.

SECTION 4013. Levy for payment of bonds:

For the purpose of creating a sinking fund for the extinguishment of the bonds thus provided for, the library board each year may levy a tax not to exceed two and one-half tenths of a mill.

SECTION 4014. Sinking fund:

There shall be created in each such taxing district a board of trustees of the library sinking fund who shall have control of all moneys and securities for the payment of interest upon and the redemption of bonds heretofore issued under the authority of this chapter. Such board shall be composed of three citizens of the taxing district, to be appointed by the court of common pleas. The first appointment shall be one for one year, one for two years, one for three years and thereafter for three years. Vacancies shall be filled in the same way.

SECTION 4015. Bond:

Before assuming the duties of his office, each member shall give bond equal to two per cent of the amount of the bonds issued by the library board.

SECTION 4016. Organization:

Sinking fund trustees shall organize; the library board shall provide a place of meeting; they shall meet semi-annually and additional meetings may be called. Their proceedings shall be recorded in a journal, open to the inspection of the library board and all questions shall be decided by vote and the name of each member

recorded on the journal. No question shall be decided unless approved by a majority.

SECTION 4017. Rate of Tax:

In the month of May, the trustees of the sinking fund, shall certify to the library board the rate of tax, not exceeding the legal limit, necessary to provide a sinking fund and the library board shall levy the amount so certified.

LIMITATION ON TAX RATE

ANNOTATED GENERAL CODE, 1912

SECTION 5649-1. In any taxing district, the taxing authority shall levy a tax sufficient to provide for sinking fund and interest purposes. (Verbatim)

SECTION 5649-2. Except as otherwise provided in Sections 5649-4 and 5649-5, the aggregate amount of taxes that may be levied in any taxing district for the year 1911 and any year thereafter, including the taxes levied under the authority of Section 5649-1, shall not in any one year exceed in the aggregate, the amount of taxes that were levied in such taxing district in the year 1910; provided that the maximum rate of taxes for all purposes shall not in any one year exceed ten mills on each dollar, and such levies in addition thereto as may be necessary to provide for any indebtedness heretofore incurred, or for any indebtedness that may hereafter be incurred by vote of the people.

SECTION 5649-3. The maximum rate of taxation in any taxing district is hereby changed so that such maximum rate as levied on the total valuation of all taxable property in the district for the year 1911 would produce no greater amount than the present maximum, if levied on the total valuation for the year 1910, would produce. The intent and purpose of this act being to provide the total amount of taxes which may be levied in the year 1911 or in any year thereafter for all purposes shall not exceed in the aggregate the total amount of taxes levied in the year 1910, plus six per cent thereof for the year 1912; nine per cent for the year 1913; twelve per cent thereof for any years thereafter, or such less amount as may be produced by the levy of a maximum of ten mills, except to the amount of such levies as may be made for interest and sinking fund purposes, as provided in Section 5649-2; for emergencies as provided in Section 5649-4 and for additional levies authorized by a vote of the people, as provided in Section 5649-5.

SECTION 5649-3 a. Prescribes the form in which each taxing body shall submit to the county auditor an annual budget and provides certain interior limitations for particular purposes.

SECTION 5649-3 b. The county auditor, treasurer and prosecuting attorney shall constitute the budget commission. They shall meet and perform their work in August before the third Monday. (As amended 1915).

SECTION 5649-3 c. The budget commissioners may revise and change the annual estimates presented by each taxing body and may reduce any and all items, but shall not increase the total of any estimate or any item therein. They shall adjust the budgets so as to keep the total within the limits prescribed by this law.

SECTION 5649-3 d. Prescribes that appropriations shall be made semi-annually for the various purposes of expenditure.

SECTION 5649-3 e. Unexpended balances shall revert to the general fund.

SECTION 5649-4. Permits additional levies in case of special emergencies specified in other sections of the code.

SECTION 5649-5. The commissioners of a county, the council of a municipal corporation, township trustees or board of education may, by resolution, decide to make an additional levy specifying the amount and number of years not exceeding five during which said additional rate may be levied.

SECTION 5649-5 a. Such proposition shall be submitted to the electors at the November election occurring more than twenty days after the adoption of such resolution. It shall be duly advertised and the form of the ballot is prescribed.

SECTION 5649-5 b. If a majority of the electors voting vote in favor, it shall be lawful to levy such additional tax, provided that the combined maximum rate under the provisions of this and the two preceding sections and sections 5649-2 and 5649-3 shall in no case exceed fifteen mills.

Note: The foregoing sections were enacted in 1911 and have been amended in some respects in 1913 and 1915. At the same session, 1911, much larger powers were given to the tax commission of the state with the purpose of placing all property in the state on the duplicate at its true value in money and to secure larger returns from corporations and public utilities. The result was to increase tax duplicates in the state generally from one to two hundred per cent. The various laws relating to libraries permit them to levy from five-tenths to fifteen-tenths of a mill. The limitations of this law, however, have reduced the levy in all cases to less than five-tenths of a mill. The net immediate result, however, was that owing to the increased duplicate, the levy produced an amount about equal to that of the previous year and that library incomes have remained at about the same level for four years since.

PENALTIES FOR DEFACING NEWSPAPERS AND MAGAZINES
ANNOTATED CODE, 1912

SECTION 12488. Destroying or defacing newspapers belonging to libraries:

Whoever intentionally defaces, obliterates, tears or destroys, in whole or in part, a newspaper, magazine or periodical on file in a reading-room belonging to another person, or cuts therefrom an article or advertisement, shall be fined not less than ten dollars nor more than one hundred dollars or imprisoned not more than thirty days, or both.

CIVIL SERVICE COMMISSION

LAWS, 1913, P. 701

An act passed in 1913, provided a state civil service commission and divided all public service in the state under two heads, the classified, which was subject to examination; the unclassified, which was exempt from the examination provided by the commission and not under the control of the commission, and included in the unclassified service, the following: * * *

6. All presidents, superintendents, directors, teachers and instructors in the public schools, colleges and universities; the library staff of any library in the state supported wholly or in part at public expense.

OKLAHOMA

STATE LIBRARY

REVISED LAWS, 1910, VOL. 2

SECTION 7240. Creation:

There is hereby created a public library which shall be known as the Oklahoma Library, which shall be located at the capitol of the state.

SECTION 7241. Shall consist of:

State library shall consist of all books, pamphlets and other literary matter now owned or hereafter acquired by the state.

SECTION 7242. Library fund:

Amount received from fines and forfeitures under this article, with any received from any other source shall constitute the library fund which shall be expended for the purchase of books and maintenance of the library by the librarian under the direction of the board of directors.

SECTION 7243. Management:

The management and control of such library is vested in the justices of the supreme court who shall constitute the board of directors.

SECTION 7244. Powers of directors:

The directors shall have power to adopt all rules necessary, not inconsistent with this article, and enforce all penalties herein imposed.

SECTION 7245. State librarian:

The directors shall appoint some suitable person as state librarian. The state librarian with the consent of the directors may appoint an assistant librarian.

SECTION 7246. Bond, Oath and Receipts:

The librarian shall take the oath of office and give an approved bond of ten thousand (\$10,000.00) dollars and give receipt for the property entrusted to him.

SECTION 7247. Duties of librarian:

Describes in full detail the ordinary duties of a librarian.

SECTION 7248. Penalty:

If the librarian shall permit any unauthorized person to remove any book from the library, he shall be liable on conviction thereof, to pay a fine of not less than five or more than twenty-five dollars for every book so taken.

SECTION 7249. Librarian to supply other states with state publications.

SECTION 7250. Prescribes salary of the librarian.

SECTION 7251. Librarian may sell or exchange duplicate books.

SECTION 7252. Duplicate bills:

Librarian shall require duplicate bills for all books purchased.

SECTION 7253. Who may take books from library:

Enumerates the officers who may have that privilege.

SECTION 7254. Penalty for failure to return books.

SECTION 7255. Penalty for the unauthorized taking books.

SECTION 7256. Rules to be printed and posted.

LAWS, 1913, CHAPTER 123

SECTION 1:

State librarian is directed to exchange copies of Oklahoma state publications for those of other states and of the United States, and to deliver the books received in exchange to the librarian of the law school of the state university at Norman, and also to deliver to said library copies of the Oklahoma state publications; provided, this exchange of books shall not take precedence to exchanges made of such books for the purpose of supplying the state library therewith.

LIBRARIES IN CITIES

REVISED LAWS, 1910, VOL. 2

SECTION 7257. Council may establish:

Council of any city not less than five thousand population shall have power to establish and maintain a public library and reading room, or either, for the use of inhabitants of such city, and may levy a tax not to exceed two mills, annually, proceeds to be known as "Library Fund."

SECTION 7258. Directors:

When any council shall have decided to establish a public library and reading room, or either, the mayor shall with the approval of the council, appoint six directors, citizens; no director shall receive any compensation as such.

SECTION 7259. Term of office of directors:

Said directors shall hold office, one-third for one year, one-third for two years, one-third for three years and their successors annually thereafter for three years. Mayor may with consent of council remove any director for misconduct or neglect.

SECTION 7260. Vacancies:

Vacancies in the board of directors by removal, resignation or otherwise shall be filled in like manner as original appointments.

SECTION 7261. Organization. Powers and duties:

Said directors shall organize by election of officers, shall make by-laws, rules and regulations for their own guidance and the government of the library and reading room, shall have exclusive control of the expenditure of all monies in the library fund, construction of buildings, care and custody of grounds, rooms or buildings. All monies received for such libraries shall be deposited in the treasury of the city as the library fund; shall be paid out only upon the authenticated vouchers of the library board. Such board shall have power to lease rooms for the use of such library, power to appoint staff, fix their compensation and to remove and shall in general carry out the spirit and intent of this article; shall have power to purchase ground and erect a building, shall have power to accept or in its discretion, decline donations, tendered as provided for in Section 7265 and for the purpose of maintaining and augmenting collections other than collections of printed books and periodicals, may at its discretion expend monies or incur obligations not exceeding in any one year, ten per cent of the whole amount paid into the library fund for such year.

SECTION 7262. Rules and regulations:

Every library or reading room established under this article shall be subject to such reasonable rules and regulations as the library board may adopt. Such board may exclude from said library or reading room, or either of them, any and all persons who shall wilfully violate such rules.

SECTION 7263. Report:

Board of directors shall annually report to the council.

SECTION 7264. Penalties:

Council shall have power to pass ordinances imposing penalties for injury upon such library or other property thereof, or failure to return any book belonging to such library.

SECTION 7265. Board to be trustees of donations. Public lectures.

Any person desiring to make donations of money, personal property or real estate for the benefit of such library or for the establishment, maintenance or endowment of public lectures in connection with such library upon any subject designated by the donor, in the field of literature, science and the arts (except that lectures in the interest of any political party, politics or sectarian religion are expressly prohibited,) shall have the right to vest the title to the money, personal property or real estate so donated, in the board of directors.

to be held and controlled by such board, when accepted according to the terms of the deed, gift, devise or bequest to such library and as to such property, that board shall be held and considered as special trustees.

SECTION 7266. Transfer of library to city. Branches:

Any library already existing or hereafter established in any city which shall establish a free library and reading room, may be transferred by the society, association or individual owning the same, to the board of directors on such terms not inconsistent with the object of this article as may be mutually agreed on and as to such property, the board of directors shall be held special trustees, providing, that any incorporated city, having not less than five thousand inhabitants, may establish one or more reading rooms to accommodate the inhabitants thereof in different parts of the city.

SEPARATE LIBRARY FOR COLORED INHABITANTS

LAWS, 1911, PAGE 200, CHAPTER 91

AMENDS SECTION 7257 (Revised Laws, 1910, Vol. 2), by adding the following clause: "Provided that in such cities that have not less than one thousand colored inhabitants, the said city council may establish and maintain a separate library and reading room, or either of them for the use of the colored inhabitants thereof to be maintained by said city council in like manner as that of the library and reading room."

OREGON

STATE LIBRARY

LORD'S OREGON LAWS, 1910, VOL. 2

SECTION 4360. Trustees:

Governor shall appoint one person for a term of five years, who, with the governor, superintendent of public instruction, president of the state university and librarian of the library association of Portland, shall constitute the trustees of the state library. (As amended, Laws of 1913, chap. 149).

SECTION 4361. Functions—Advice—Traveling libraries—Lists and circulars—Summer school—Periodical clearing-house:

The state library shall give advice to all schools, free and other public libraries, and to all communities which may propose to establish them, as to the best means of establishing and maintaining such libraries, the selection of books, cataloging and other details of library management. It may also purchase and operate traveling libraries within the state among communities, libraries, schools, colleges, universities, library associations, study clubs, charitable and penal institutions, free of cost except for transportation, under such conditions and rules as shall protect the interest of the state and best increase the efficiency of the service it is expected to render the public. It may publish such lists and circulars of information as it shall deem necessary and it may also conduct a summer school of library instruction and a clearing-house for periodicals for free gift to local libraries. (As amended, Laws, 1913, chap. 149).

SECTION 4362. Officers. Duties:

The trustees shall elect a chairman of its own number, and a librarian not of its own number, and employ such other assistants as may be requisite. The librarian shall keep a record of the proceedings, account of finances, supervise traveling libraries and organizations, etc.; shall be allowed actual traveling expenses. No member of such board of trustees shall be compensated for his services, but he shall be allowed actual expenses connected with his duties.

SECTION 4363. Report. (Repealed, Laws of 1915, chapter 204).

SECTION 4364. Salary and expenses:

Salary of the librarian shall be fixed by the trustees. Expenses shall be paid from its appropriation. Offices shall be provided in the state house. (As amended, Laws 1913, chap. 149).

SECTION 4365. Appropriation:

Made annual appropriation of six thousand dollars: was repealed by

LAWS, 1915

CHAPTER 122. Appropriations:

An act to repeal all continuous, annual and standing appropriations.

CHAPTER 300. Appropriations:

Appropriated the following sums, or so much thereof as necessary,
* * * for two years beginning Jan. 1, 1915, and ending Dec.
31, 1916: For State library, twenty-three thousand, eight hundred
dollars (\$23,800); for Supreme court library of Oregon, fifteen
thousand, six hundred and twelve dollars (\$15,612).

LAWS OF 1911, CHAPTER 55

SECTION 1. Funds:

All funds paid to the state library on account of public school library orders shall be kept by the treasurer in a separate account, as the Oregon state library school library fund. All moneys received for delinquencies for lost books and for freight payments shall be kept in a separate account to be known as the Oregon state library contingent fund. (As amended, Laws of 1913, chap. 149).

SECTION 2. Provides the method of payment from the above funds:

LAWS OF OREGON, 1913, CHAP. 149

SECTION 2. Library commission becomes state library:

Provides that the library commission library shall hereafter be known as the state library and the library commission shall be known as the trustees of the state library and all laws now in force relating to the library commission shall apply to the trustees of the state library. Secretary of the commission shall become librarian of the state library, and the provisions relating to the secretary of the library commission shall be applicable to the librarian of the state library.

SECTION 5. State library shall be under the control of the trustees of state library, who shall make all necessary rules for its government and appoint the librarian and assistants and fix their compensation.

SECTION 6. Traveling libraries—legislative reference library:

Books of the state library shall be loaned free of charge to the people of the state through local public and traveling libraries, and to individuals upon proper guarantee in cities without libraries and in rural communities. State librarian shall collect and index public documents which may be of use to state boards, officials and members of the legislature for the investigation of public questions. These

services shall be rendered in accordance with the rules fixed by the trustees.

SECTION 7. Catalog. Appropriation:

Provides that the librarian shall catalog books of the library and makes an appropriation for the expenses.

SUPREME COURT LIBRARY

LAWS OF OREGON, 1913, CHAP. 149

SECTION 1. Provides that the state library shall hereafter be known as the Supreme Court Library; the state librarian as librarian of the Supreme Court Library, and the laws in force relating to state library, except as herein amended, shall apply to the Supreme Court Library.

SECTION 3. Donation of books:

It shall be the duty of the librarian of the Supreme Court Library to turn over to the state library, such books and other material received as a general depository library, and such other books and pamphlets as may be agreed upon or ordered by the Supreme Court, provided that all publications of a legal nature shall be retained by the Supreme Court Library and all legal books hereafter received in exchange by the state, shall be turned over to the Supreme Court Library.

SECTION 4. Control of the Supreme Court Library:

Supreme Court Library shall be under the control of the Supreme Court, and said court shall make rules for the government of the library and shall appoint the librarian and assistants and fix their compensation.

COUNTY LIBRARIES

LORD'S OREGON LAWS, 1910, VOL. 2

SECTION 4356. Library tax:

Any county is authorized to levy a special tax not to exceed one-half mill on the dollar for the purpose of establishing and maintaining, or assisting in the establishment and maintenance of a public library. The proceeds of such tax shall constitute a separate library fund. (As amended, Laws of Oregon, 1911, chap. 151).

SECTION 4357. Establishment:

County court in any county in which such special tax may be levied may use said library fund to establish, equip, maintain and operate at the county seat, a public library including branch libraries, reading rooms, lectures and museums, and may do any and all things necessary or desirable in its discretion to carry out such purpose. The county may however, in its discretion, contract, upon such con-

ditions as it may determine, with a corporation maintaining a library at the county seat for the use by such corporation of said library fund for all or any of the purposes specified above in this section. (As amended, Laws of Oregon, 1911, chap. 151).

SECTION 4358. Payments:

No moneys shall be drawn from any library fund, except by the order of the county court.

SECTION 4359. Libraries to be free:

Every library maintained in whole or in part from any county library fund shall be free for the use of the inhabitants where located, under rules prescribed by the county court or the corporation maintaining the library.

LAWS OF 1911, CHAP. 117 (AS AMENDED BY LAWS OF 1915, CHAP. 346)

SECTION 1. Tax levy for building fund:

Any county is authorized in its discretion to levy and collect a special tax not to exceed one and one-half mills on each dollar. The proceeds shall constitute a separate public library building fund to be expended for that purpose only and only upon the order of the county court.

SECTION 2. Limitations:

Said special tax may be divided and collected as the county court may determine, provided that not more than one-half mill shall be levied in any one year, and that the right to levy such special tax shall be exhausted when the limit of one and one-half mills has been reached.

SECTION 3. Purposes:

Said tax is to be levied and collected for the erection of a central public library building upon a site approved by the county and conveyed to it by any person, firm, corporation or city school district or union high school district. Said building when erected shall be operated as a public library free to all inhabitants of the county. The county court is authorized to accept sites, buildings, equipment or other donations for public library purposes, and where a central library is provided in whole or in part by donations or otherwise, any remaining portion of the fund authorized in Section 1 may be used for or towards the erection of branch buildings. No part of such fund shall be used for branch buildings, except upon condition that the city where such branch is located shall guarantee a maintenance fund equal to not less than ten percent of the cost of such building and shall also provide a site acceptable to the county library board and to the county court.

Authority is granted to any city to provide funds through taxation

or the sale of bonds for the purchase of sites and the erection of such branch library buildings. The title to the property acquired under the act shall be vested in the county accepting it, subject to the control of the county court or such board as shall be constituted for the administration of a free county library. The county court may contract for the use of any such building by any corporation maintaining a central public library or branch libraries. The plans of such buildings shall be in accordance with the plans selected by the board, subject to the approval of the court.

SECTION 4. Libraries to be free:

All library buildings built wholly or partly from funds raised in accordance with this act shall be free for the use of the inhabitants of the county where they may be located, subject to reasonable rules and regulations.

PUBLIC LIBRARIES

LORD'S OREGON LAWS, 1910, VOL. 2

SECTION 4346. General provisions:

This act shall be known as the public library law.

In this act, unless the context otherwise requires, "library" includes libraries with branches, travel libraries and reading room departments, lectures and museums; "city" includes town and village; "council" means legislative body of an incorporated town, village or city; "mayor" means the chief executive officer of an incorporated city, town or village.

SECTION 4347. Establishment. Tax:

The council of every incorporated city shall have the power to establish, equip and maintain a public library or maintain and support any public library already established therein, and may annually levy and cause to be collected, as other general taxes are collected, a tax upon each dollar of the assessed value of the taxable property, of such city, to provide a library fund, which fund shall be kept separate from other money of the city to be used exclusively to maintain such library; provided that said library tax shall not be included in the aggregate amount of taxes as limited by any provisions of any charter under which any city is now organized. (Verbatim)

SECTION 4348. Aid to libraries already established:

If there exists in any incorporated city a secular or non-sectarian library owned and controlled by a society or corporation, the council may at its discretion levy the tax hereinbefore provided for and enter into a contract with such society or corporation to provide the inhabitants of such city with the free use of the library upon conditions agreed upon. The terms of such contract may give the management of the library to such society or corporation, in which event

Section 4349 would have no effect, but the other sections thereof shall be considered a part of said contract; provided that all money paid to said society or corporation under said contract shall be expended solely for the maintenance of the library and for no other purpose.

SECTION 4349. Directors. Appointment. Vacancies.

For the government of such library, there shall be a board of nine directors appointed by the mayor, with the approval of the council. Not more than one member of the council shall at any one time be a member of the board; provided that in cities of less than three thousand inhabitants, there shall be six directors. Those first appointed shall divide themselves into three classes; one-third to serve one year; one-third two years; and one-third three years; their successors shall be appointed for three years.

No person shall be ineligible to serve by reason of sex.

Mayor may, by consent of council, remove any director for misconduct or neglect. No compensation shall be paid or allowed any director.

SECTION 4350. Organization. Powers:

Directors shall organize by electing one of their number president, and such officers as they may deem necessary. They shall make by-laws and rules for their own guidance and the government of the library. They shall have control of the expenditures from the library fund, the supervision and custody of rooms and buildings, and money shall be drawn from the treasury upon the authenticated voucher of the board without being otherwise audited. They may, with the approval of the mayor and council, lease, purchase or erect a building, not employing more than one-half of the income in any one year. They may employ a staff, prescribe rules, fix compensation and remove such appointees, and shall in general carry out the spirit and intent of this act in establishing and maintaining a public library.

SECTION 4351. Use of library:

Every library established under this act shall be forever free for the use of the inhabitants of the city where located, subject to the regulations adopted and published by the library board. The board may extend the privileges and use of such library to non-residents upon such conditions as it may prescribe.

SECTION 4352. Annual report:

The board of directors shall fully report to the council annually on the condition and work of the library.

SECTION 4353. Donations:

All persons desirous of making donations of money, personal property or real estate for the benefit of such library, shall have the right

to vest the title thereto in the board of directors created under this act, to be held and controlled by such board when accepted, according to the terms of the deed of gift, devise or bequest, and as to such property the said board shall be held and considered to be special trustees. (Verbatim).

SECTION 4354. Penalty for defacing books:

Whoever wilfully or maliciously writes upon, injures, defaces, tears or destroys a book, plate, picture, engraving, map, newspaper, magazine, pamphlet, manuscript or statue belonging to a law, city or other public or incorporated library, shall be punished by a fine of not less than five dollars, nor more than fifty dollars, or by imprisonment not exceeding six months. (Verbatim).

SECTION 4355. Penalty for detention of books:

Whoever wilfully or maliciously detains any book or other property belonging to any library for thirty days, after notice in writing given after the expiration of the time, which, by regulations, such property may be kept, shall be punished by a fine of not less than five dollars nor more than twenty-five dollars, or by imprisonment not exceeding six months; provided that the notice required by this section shall bear upon its face a copy of this section.

TUBERCULOSIS

LAWS OF 1913, CHAP. 115. An act for the prevention of the spread of tuberculosis:

SECTION 7. No books shall be loaned from a public library to any person afflicted with pulmonary tuberculosis, or to any person living in a residence where a case of pulmonary tuberculosis exists. (Verbatim)

DISTRICT SCHOOL LIBRARIES

LORD'S OREGON LAWS, 1910, (AS AMENDED BY GENERAL LAWS, 1913)

SECTION 4153. Library fund:

The county court of the several counties of this state which have a population of less than one hundred thousand inhabitants are hereby required to levy at the same time they levy other taxes, a tax upon all taxable property in their counties for school libraries which shall aggregate an amount which shall not be less than ten cents per capita for each and all of the children in the county between the ages of four and twenty years, as shown by the then preceding school census, which shall be collected at the same time and by the same officers as other taxes are collected; and such aggregate sum when so levied and collected shall be known as the general school library fund of the county, and such fund shall be set aside and used for

no other than school library purposes in the manner hereinafter provided for. (Verbatim).

SECTION 4154. County treasurer to serve:

County treasurer shall certify to the county school superintendent, on the first Monday in July of each year, the total amount in the general school fund in his hands.

SECTION 4155. Apportionment:

The county superintendent shall upon the first Monday in July of each year apportion the entire general school library fund as follows: He shall apportion to each district in his county that has reported to him, according to law in proportion to the number of persons in each district over four and under twenty years of age, as shown by the last school census. When such apportionment has been made, he shall immediately notify the districts of their respective shares and the Oregon state library of the amount of money apportioned to and the number of school children in each district.

SECTION 4156. Purchase of books:

Provides that each district shall in July of each year select books from lists prepared by the state library according to their rules; that for any failure to notify of their selection by August 10th, the state library shall select books. Prescribes method of shipment and payment.

SECTION 4157. List of books:

The state library shall prepare annually lists of books suitable for school libraries, with prices, and furnish copies to the county superintendents.

SECTION 4158. Record of books:

The county superintendent shall keep a complete record of books purchased, with the prices.

SECTION 4159. Librarian:

The county superintendent shall appoint a librarian for each district, who shall have care of the books and loan them according to rules prescribed by the state library, and keep a record. While the schools are in session, the library shall be placed in the school houses.

SECTION 4160. Rules and regulations:

The state library shall formulate rules and regulations for the management of the school libraries.

FARM LIBRARIES

LAWS OF OREGON, 1911, CHAP. 124

SECTION 1. Establishment:

The county commissioners of any county may at their discretion appropriate two hundred dollars (\$200.00), or as much thereof as

may be necessary, for the purpose of establishing at various points farm libraries. Such libraries shall consist of standard books on agriculture, animal or poultry husbandry. In this the commissioners shall seek the recommendation of the director of the Oregon Agricultural College as to the publications to be selected.

SECTION 2. Location:

Said library shall be established and maintained at such point or points as may be designated by the commissioners and without cost to the county in connection with established libraries, clubs or other institutions.

SECTION 3. Use of books:

Use of books of said libraries shall be free to residents under such restrictions as commissioners may impose; provided no person shall keep a book longer than twenty-one days.

SECTION 4. Penalties:

Any person who shall misuse, destroy or fail to return a book, shall, upon conviction, be fined a sum not less than three times the original cost of said book.

PENNSYLVANIA

STATE LIBRARY

STEWART'S PURDON'S DIGEST OF STATUTE LAW,

VOL. 4, 1910, PAGE 4452

SECTION 1. Trustees:

Provides a board of trustees of whom the governor, secretary of the commonwealth and the attorney general shall be ex-officio trustees.

SECTION 2. Librarian:

State librarian shall be appointed by the governor, with the consent of the senate, and may be removed for cause.

SECTION 3. Qualifications:

The librarian shall be a person of known literary and bibliographic attainments; shall give a bond; shall perform the usual duties of a librarian.

SECTION 4. Shall report annually to the governor.

SECTION 5. Librarian may bring suit to recover library property.

SECTION 6. Hours of opening.

SECTION 7. Library staff.

SECTION 8. Use of books:

Designates certain state officials who may take books from the library.

SECTION 9. Meetings of trustees:

Trustees shall hold one annual meeting, and additional meetings at their discretion.

SECTION 10. Duties of librarian.

SECTION 11. Shall report annually to the Legislature.

SECTION 12. Authorized to bring suit.

SECTIONS 13 and 14. Distribution of documents.

SECTION 15. Repeals inconsistent laws.

SECTIONS 16—22 create a division of public records in connection with the state library.

SECTIONS 23—25. Catalog:

Provide for the printing of the catalog.

LEGISLATIVE REFERENCE BUREAU

LAWS, 1909, PAGE 208, No. 143

SECTION 1. Creation:

Authorizes the creation of a legislative reference bureau in the state library.

SECTION 2. Director:

Provides for the appointment of a qualified person by the governor, to give bond, to have custody of the law library and various publications which may be generally classed as legislative documents.

SECTION 3. Assistant director:

Director, with the approval of the governor, may appoint one assistant director learned in the law, and a stenographer. The state librarian may also assign an employee or employees to work in the reference division during the session of the assembly.

SECTION 4. Rooms, etc. Hours:

Trustees of the state library shall provide the bureau with suitable rooms in the state library. Prescribes hours of opening.

SECTION 5. Check lists and catalogs:

Director shall prepare check-lists and catalogs and other helps.

SECTION 6. Duties:

Director and assistants shall neither oppose nor urge legislation; shall assist in preparing bills; all work shall be confidential.

SECTION 7. Printing and binding:

Provides that necessary printing and binding shall be done in the public printing and binding department, and that other necessities shall be furnished.

FREE LIBRARY COMMISSION

STEWART'S PURDON'S DIGEST OF STATUTE LAW, 1700-1903,
V. 2, PAGE 2254

SECTION 1. Appointment:

Governor shall appoint five persons who, with the state librarian, shall constitute a free library commission; two of the members shall be appointed for four years, three for five years, and all subsequent appointments for five years. The commission shall elect a chairman, and state librarian shall be ex-officio secretary.

SECTION 2. Duties of commission. Traveling libraries:

The commission shall give advice and counsel to all free libraries and to all communities who may propose to establish them, as to the

best means of establishing and administering such libraries, selection of books, cataloging and other details of management; shall have powers of general supervision and inspection and the right to require reports. Commission shall also establish and maintain out of such sums as may come into their hands by appropriation or otherwise a system of traveling libraries as far as possible throughout the commonwealth.

SECTION 3. No compensation:

No member of the commission shall receive any compensation for his services as a member.

LIBRARIES IN CITIES, ETC. GENERAL PROVISIONS

STEWART'S PURDON'S DIGEST OF STATUTE LAW, 1700-1903, VOL. 3,
PAGE 2705 MUNICIPAL CORPORATIONS, ART. 1

SECTION 1. Classification of cities:

City divided into three classes: those with population of 1,000,000 or over, first class; of 100,000 and under 1,000,000, second class; of under 100,000, third class.

STEWART'S PURDON'S DIGEST, 1700-1903, V. 2, PAGE 2254

SECTION 4. Donations:

It shall be competent for any incorporated city within this commonwealth, and the same is hereby empowered, to take and hold, any grant or donation of money, books, manuscript or property, real or personal, for the purpose of establishing a free library within the limits of such corporation and to make provisions by annual appropriation for the maintenance of such library.

CITIES OF THE FIRST CLASS

SECTION 5. Establishment and management:

Council of any city of the first class is empowered to make appropriations for, or in aid of, the establishment and maintenance of a free public library or libraries with or without branches, within said cities, upon condition that the municipal authorities be represented to the satisfaction of said council in the administration of said libraries.

SECTION 6. Levy:

Said council may levy a tax not to exceed two mills annually to be known as the library fund.

SECTION 7. Management:

Such library shall be forever free for the use of the inhabitants of said cities, subject to such reasonable rules as the board or com-

mission having charge may adopt. Such board or commission may exclude any persons who wilfully violate such rules. Said board or commission may extend the privileges of such library and reading-room to persons residing outside of said cities, upon such terms as it may by resolution, prescribe.

SECTION 8. Report:

Said board or commission shall report annually to the council.

SECTION 9. Penalties:

Councils of said cities shall have power to pass ordinances imposing penalties for injury to library property or failure to return books.

SECTION 10. Donations:

Any person desiring to make donations of books, money, personal property or real estate for the benefit of such library, shall have the right to vest the title to such books, money or real estate, so donated, in the board or commission duly constituted for the management of such library, to be held and controlled by such board or commission when accepted, according to the terms of the deed, gift, devise or bequest of such property, and as to such property the said board or commission shall be held and considered to be special trustees.

SECTION 11. All acts or parts of acts inconsistent herewith are repealed.

GIFTS TO PHILADELPHIA FOR BRANCH LIBRARY BUILDINGS

SECTION 12. Contracts as to donations:

It shall be lawful for cities of the first class within this commonwealth to enter into contracts or agreements with any person or persons desiring to donate to said cities, or to the board or commission duly constituted for the management of free libraries in said cities, any sum or sums of money to be used for the erection of free branch libraries in such cities; or such person or persons may constitute and designate such board or commission in said cities for the management of free libraries therein, or such other person or persons or corporations as he or they may select to represent him or them as a party to such contracts or agreements. Such contracts or agreements may be authorized by the councils of said cities to be executed by the mayor on the part of such cities, and when so authorized and executed in behalf of such cities they shall be binding thereon. (Verbatim)

SECTION 13. Contracts as to donations:

Said contracts and agreements may provide for the acceptance of such donation or donations of money to be used for the erection of

said free branch libraries by the said cities, or by the board or commission duly constituted for the management of free libraries therein, and may provide that said cities may and shall acquire from time to time, or at any time or times, to be fixed in and by the terms of the said contracts or agreements, by gift or purchase, sites upon which shall be erected the said free libraries, or branches thereof,—the building and erection thereof to be without cost to the said cities. The sites so acquired shall be such only as may be assented to and approved by the said board or commission for the management of free libraries in said cities, and when so acquired shall be used for the erection thereon of the said free libraries with funds donated as aforesaid, in accordance with the terms of said contracts and agreements. (Verbatim)

SECTION 14. Same:

And thenceforth said libraries so erected upon the said sites shall be used for the purpose of free circulating libraries or branch libraries with reading rooms and other facilities necessary, convenient or proper for such use, and shall be and remain under the control and direction of the said board or commission for the management of free libraries in said cities, as now provided by the act, to which this is a supplement, for the management and control of other free libraries therein. (Verbatim)

SECTION 15. Same:

Said contracts may further provide for the annual appropriation by the councils of said cities of such amount or amounts for the support and maintenance of the said free libraries, when and as the same shall be erected and completed, as may be agreed upon by and between said cities and the said donor or donors of said moneys, the persons or corporations representing him or them; and such amount or amounts shall thereupon become a city charge, notwithstanding the provisions of any act or acts now in force and notwithstanding that at the date of said contract or contracts no appropriation shall have been made by councils for the purpose thereof; said charge to be annually provided for out of the tax levy of such cities. (Verbatim)

SECTION 16. Same:

Said contracts or agreements may provide for changes in, or abandonment of, the sites originally selected, if, or when, such change or abandonment may be found necessary or desirable, and may contain such other terms, conditions and restrictions for the furtherance of the object and purpose thereof, as may be so mutually agreed upon between the said parties. (Verbatim)

Note: The foregoing sections 12-16 were enacted Laws of Pennsylvania, 1903, page 46, Act No. 49, in two sections,—the first section

forming section 12 and the second section forming sections 13 to 16 inclusive.

IN CITIES OF THE SECOND AND THIRD CLASS

SECTION 17. Establishment:

Council may submit to the voters of cities of the second and third class, at the election to be held on the third Tuesday of February each year, the question of the establishment and maintenance of a public library, and must submit the question if petitioned by not less than three per cent of the voters registered at the last annual election. At such election the question of establishing such library, and the rate of the annual tax, not exceeding two mills on the dollar, shall be submitted. A majority of the votes cast on the question shall decide.

SECTION 18. Rate of tax:

Rate of tax so voted shall be an annual tax until another popular vote changes the same. Tax shall be in addition to all other taxes and shall be used exclusively for a public library. The funds shall be under the control of the board of library directors hereinafter provided.

SECTION 19. Bonds for building fund:

If five per cent of the voters in such municipality shall petition the council to submit the question of creating a bonded indebtedness, for ground and buildings for public library purposes, council must submit the question at the next annual election as hereinbefore provided.

SECTION 20. Library board:

Public library shall be under the control of a board of directors of not less than five or more than nine, as determined by the council. They shall be appointed from the citizens by the mayor or burgess, and confirmed by council. The first appointment shall be one-third for one year, one-third for two years, one-third for three years and thereafter for three years. The mayor and superintendent of schools shall be ex-officio members. The boards shall organize by the election of officers. The treasurer shall be required to give bond.

SECTION 21. Rules:

Library or reading room shall be forever free to the use of the inhabitants of said municipality, subject to the rules of the board. Said board may exclude for violation of rules, and said board may extend privileges to non-residents on such terms as they may prescribe.

SECTION 22. Report:

Said board shall report annually to the councils of such municipality or borough.

SECTION 23. Penalties:

Council of said municipality has power to pass ordinances imposing penalties for injury to library property or failure to return books.

SECTION 24. Donations:

Any person desiring to make donations of books, money, personal property or real estate, for the benefit of such library, shall have the right to vest the title of such books, money or real estate so donated in the board, duly constituted for the management of such library, to be held and controlled by such board, when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property the board shall be held and considered to be trustees.

SECTION 25. Limitations:

This act shall not apply to any city or borough wherein a free library has been heretofore established, nor shall it in any way affect the provisions of several previous acts recited.

CITIES OF THE THIRD CLASS

SECTION 26. Cooperation of libraries already established:

Makes it lawful for a city of the third class to cooperate in the maintenance of a library already established; provided, that the appropriation therefor does not exceed the authorized levy of one mill on each dollar and that the association shall convert its entire property or income derived therefrom to the use of the library so established.

SECTION 27. Use of property:

It shall be lawful for a city to dedicate real estate for the use of such library and to bind itself, by ordinance, to the maintenance of such library to an amount not to exceed the authorized rate of one mill on the dollar.

SECTION 28. Maintenance:

The school controllers of such district are authorized to appropriate the entire amount realized from the library tax for the maintenance and increase of the library.

SECTION 29. Library board:

The representatives of the corporate bodies aforesaid, appointed to control such library, shall under the title of "manager of library",

be a body politic and corporate, shall direct the affairs of said library, make all necessary regulations, have power to sue and be sued, may adopt a common seal, receive, hold and dispose of property, shall serve without compensation; provided the secretary and treasurer elected from the number of said managers, shall receive compensation for actual service.

SECTION 30. Report:

Said managers shall annually report to the board of school controllers and directors of the association.

SECTION 31. Validity:

Any agreement or ordinance heretofore concluded is hereby declared valid.

SECTION 32. All inconsistent acts are hereby repealed.

IN BOROUGHES

SECTION 33. Libraries already established:

Gives councils or boroughs the right to make appropriations for the maintenance of libraries established or hereafter to be established for the use of the residents of the borough, upon condition that municipal authorities shall be represented in the management of such libraries to the satisfaction of councils.

SECTION 34. Tax:

Councils may appropriate annually proceeds of a tax not exceeding one mill on the dollar.

SECTION 35. All inconsistent acts are hereby repealed.

SECTION 36. Appropriation of property:

Gives borough councils and school boards the right to purchase, acquire or appropriate private property for library purposes.

SECTION 37. Same:

In case of an appropriation where a price can not be agreed upon, it is referred to a committee of three citizens as viewers.

SECTION 38. Same:

Describes method by which the viewers shall fix compensation or damages to be awarded.

SECTION 39. Damages:

Damages may be collected by legal process.

SECTIONS 40 and 41. Any interested party may file appeal from said report within twenty days.

SECTION 42. Costs:

Costs incurred in the proceedings shall be defrayed by the borough council or school board.

SECTION 43. All acts inconsistent herewith are repealed.

SECTION 44. Exemption from taxation:

Any building occupied by a free non-sectarian library, and the land upon which it stands, with necessary appurtenances thereto, shall be exempt from taxation, even although some portion of the ground or building be yielding rentals, provided that the net receipts of such rentals be insufficient to maintain such library and are necessarily supplemented by other receipts.

SECTION 45. Same:

Any gifts, endowments or funds of a free public library invested in interest bearing securities, the income from which is used exclusively for the use of the library, shall be exempt from any state tax.

LIBRARIES IN CITIES OF THE THIRD CLASS

WATT'S SUPPLEMENT TO STEWART'S PURDON'S DIGEST, 1905-1909,
PAGE 5636, LIBRARIES:

SECTION 1. Tax levy:

It shall be lawful for school controllers of such school district to appropriate the entire amount realized from the levy of said library tax authorized by law, to the maintenance of the library established and the purchase of books therefor; and it shall be the duty of said controllers to levy annually, for the purpose aforesaid, a tax not exceeding one mill and one-half of one mill, nor less than one mill.

LIBRARIES IN BOROUGHES

SECTION 2. Contract for use of library:

Authorizes the councils of boroughs to contract with the managers or owners of any existing non-sectarian public library for a certain sum paid annually for the free use of such public library by the residents for such period, not exceeding three years, as may be agreed upon.

SECTION 3. Appropriation:

Authorizes the councils to appropriate annually for this purpose not to exceed the amount of one mill on the dollar.

SECTION 4. Exemption from taxation:

All property, including buildings and lands reasonably necessary thereto, maintained by public or private charity, established ex-

clusively for public libraries, museums or art galleries and not established for profit, so long as such public use continues, shall be exempt from taxation.

SECTION 5. All acts inconsistent herewith are repealed.

FREE PUBLIC LIBRARIES IN MUNICIPALITIES

LAWS, 1907, PAGE 421, No. 290

SECTION 1. Establishment:

For the purpose of establishing and maintaining free public libraries on a permanent basis, authority is given to town councils of all municipalities except cities of the first, second and third class, townships and counties, as now conferred upon the town councils of the boroughs of this state, to make appropriation for, or in aid of, the establishment or maintenance of free public library or libraries now incorporated or that may hereafter be incorporated in any of the said municipalities, upon condition that the municipal authorities shall be represented to the satisfaction of said council in the management of such library or libraries.

SECTION 2. Appropriation:

Said council to make appropriation annually for the establishment and maintenance of said library or libraries,—the amount not to exceed one mill on the dollar.

LAWS, 1907, PAGE 151, No. 115

SECTION 1. Joint maintenance and use:

Authorizes in any township or borough surrounding a city of the third class, or borough, that school directors may join in the establishment and maintenance of a free non-sectarian library in said city of the third class, expense to be borne in such proportion as may be agreed upon for that purpose. The school authorities may levy a tax provided for in the act of which this is a supplement.

(1895)

SECTION 2. Joint library:

Gives the right to a township or borough to join with a city or borough in maintaining jointly a library for their joint benefit.

SECTION 3. Report:

Managers of such public library to report annually to school boards furnishing the aid.

LIBRARIES IN TOWNSHIPS AND COUNTIES

WATT'S SUPPLEMENT TO STEWART'S PURDON'S DIGEST, 1905-1909,
PAGE 5636

SECTION 6. Establishment:

Same authority is given to the town councils of all municipalities except cities of the first, second and third classes, townships and counties, that is now conferred upon other town councils or boards of this state to make appropriations for or aid in the establishment and maintenance of free public libraries that may hereafter be incorporated for the use of residents of the said municipalities, upon condition that the municipal authorities shall be represented to the satisfaction of said councils in the management of such library or libraries.

SECTION 7. Appropriation:

Councils may appropriate annually, for this purpose, not to exceed one mill on the dollar.

SECTION 8. Repeals all acts inconsistent.

SECTION 9. Gives a township or borough surrounding or adjoining any city of the third class or a borough, the same powers given in section 68.

SECTION 10. Gives the township or borough the same powers in relation to cities of the third class or a borough, as given in section 69, ante.

SECTION 11. Practically the same as section 70.

SECTION 12. Tax:

Makes it lawful for the school board to levy a tax, not exceeding one and one-quarter mills, for the support of such library, and when such library is established, makes it their duty to levy a tax of not less than one mill, except where a fixed revenue from other sources would make their total income exceed the amount of a levy of one and one-quarter mills.

CLASSIFICATION OF SCHOOL DISTRICTS

LAWS, 1911, PAGE 309

AN ACT TO ESTABLISH A PUBLIC SCHOOL SYSTEM, ART. I

SECTION 101. Constitution and classification of school districts:

Each city, incorporated town, borough or township in this commonwealth, now existing or hereafter created, shall constitute a separate school district; and the several school districts thus established are divided into four classes, as follows:

SECTION 102. District of first class:

Each school district having a population of five hundred thousand or more shall be a school district of the first class.

SECTION 103. District of second class:

Each school district having a population of thirty thousand or more but less than five hundred thousand shall be a school district of the second class.

SECTION 104. District of third class:

Each school district having a population of five thousand or more but less than thirty thousand shall be a school district of the third class.

SECTION 105. District of fourth class:

Each school district having a population of less than five thousand shall be a school district of the fourth class.

SCHOOL LIBRARIES

LAWS, 1911, PAGE 422

AN ACT TO ESTABLISH A PUBLIC SCHOOL SYSTEM, ART. 25, PUBLIC SCHOOL LIBRARIES

SECTION 2501. Management of library:

In each school district of the second, third or fourth class in which there is now or hereafter may be a public school library, such library may be under the management of the board of school directors or of a board of seven library trustees as herein provided, as the board of school directors may determine.

SECTION 2502. Library trustees:

In each school district of the second, third or fourth class, where the library is put under the management of a board of seven library trustees, such board shall be constituted as follows: Five library trustees not members of the board of school directors shall be elected by the school directors from the school district at large; the trustees so elected, together with the president of the board of school directors and the district superintendent, if any, or if there be no district superintendent then the vice-president of the board of school directors,—shall constitute the board of seven library trustees.

SECTION 2503. Library trustees:

The board of school directors, in any school district where the public school library is under their management, may, at any time hereafter, place such library under the management of a board of seven library trustees as herein provided, by a resolution adopted by a majority vote of the board.

SECTION 2504. Terms of trustees:

First appointment of five trustees shall be for one, two, three, four and five years, respectively,—thereafter annually one for five years. Appointments to be made during June; terms to begin on the first day of July following.

SECTION 2505. Organization of trustees:

Library trustees herein provided shall organize annually on the first Monday in July, by the election of a president. Secretary of board of school directors shall be ex-officio secretary of board of library trustees.

SECTION 2506. Duties:

Subject to the approval of the board of school directors, trustees shall make rules for its own meetings and for the library; shall have charge and supervision of the library, purchase books, maps, etc.; appoint a librarian and other employees, and do all other things necessary for its government, preservation and maintenance.

SECTION 2507. Appropriation:

Board of school directors may annually appropriate for the maintenance of such school library, out of school taxes, such sums as it may deem proper, not exceeding one mill on the dollar; provided, that when a library is first established, the board of directors may provide for the building and establishment of such a public library or for the enlargement of the library, in like manner as any public school building may be built or enlarged.

SECTION 2508. Payments:

All money paid on account of any public school library shall be paid by a regular school order, as other school funds are paid. Provided, that such payments shall be first approved by the board of library trustees if there be such a board.

SECTION 2509. No compensation. Filling of vacancies:

Library trustees shall serve without compensation. Vacancies shall be filled by the school directors.

SECTION 2510. Cooperation in the establishment of a library:

Instead of maintaining a separate school library, any board of school directors may join with an individual or an association in the maintenance of a free public, non-sectarian library, under such agreement as may be decided upon.

SECTION 2511. Circulation:

School directors or library trustees may circulate books and collections among the several schools, or may establish branch libraries.

SECTION 2512. Books added:

When a collection of books has been furnished by subscription or otherwise, the school directors shall provide a suitable place, and case or cases, for such collection; but no books shall be put into a public school library, by gift or otherwise, without the approval of the library trustees or the school directors.

SECTION 2513. Hours. Use by non-residents:

School directors or library trustees shall provide for keeping library open at specific and convenient hours; may permit the use by resident of other school districts, under such conditions as they may prescribe.

SECTION 2514. Finances:

Receipts and expenditures shall be audited by the proper school district auditors, and included in their reports.

SECTION 2515. Reports:

Librarians or trustees of all public school libraries shall report to the state librarian, and to the superintendent of public instruction, at such times and in such manner as they may request.

SECTION 2516. Act takes effect July, 1911:

This act, so far as it relates to public school libraries established wholly by any school district of the second, third or fourth class, shall take effect on the first Monday of July, 1911,—at which date the office of all public school library trustees then serving by appointment of any board of school directors shall be abolished.

(Verbatim)

SECTION 2517. Joint public school library:

Two or more school districts may unite to establish and maintain a joint public school library, or may aid in the support of a library as herein provided. Trustees of such library may be appointed either by the directors of the district or by the joint school committee.

LAWS, 1915, PAGE 631, ACT 270

SECTION 7 adds the following section to the foregoing:

SECTION 2518. When two school districts are consolidated and each of such districts maintains a library under the management of library trustees, such boards shall be merged into one board; thereafter annually one trustee shall be appointed. After the merging of such boards, the said boards may discontinue any one of the libraries under its supervision.

LAWS, 1911, PAGE 329

ARTICLE IV

SECTION 401. Duties and powers of school trustees:

The board of school directors in every school district shall establish and maintain a sufficient number of elementary public schools to educate every person in such district between the ages of six and twenty-one who may attend. They may establish and maintain the following additional schools or departments for the education and recreation of persons residing in such district. Each such additional school or department, when established, shall be an integral part of the public school system in such school district and shall be so administered, namely:

High schools

Manual training schools

* * *

Libraries

Museums

Reading-rooms

* * *

Public lectures.

SECTION 402. School boards may levy tax:

In order to establish, enlarge, equip and maintain any school or department herein provided, or for any school indebtedness, or to enable it to carry out any provisions of this act, the board of school directors in each school district is vested with all necessary authority and power, annually to levy and collect the necessary taxes required in addition to the state appropriation, and shall have all necessary power to carry out any or all provisions of this act.

ARTICLE V, SCHOOL FINANCES

SECTION 501. Finances:

All taxes required by any school district in this commonwealth in addition to the state appropriation shall be levied by the board of school directors therein.

(Verbatim)

PORTO RICO

INSULAR LIBRARY

COMPILATION OF REVISED STATUTES AND CODES, 1913, PAGE 326

SECTION 1695. Creation:

The public library which actually exists in the city of San Juan, shall constitute the Insular Library of Porto Rico, and as such is made the depository of all books, documents, etc., of the legislative assembly and the several departments of the Insular government.

SECTION 1696. Administration of the Insular Library:

Is vested in a board of trustees composed of the commissioner of education, commissioner of the interior, secretary of Porto Rico and four other persons appointed for a term of three years by the governor with the consent of the executive council.

SECTION 1697. Rules:

Trustees shall prescribe such rules as may be necessary for the administration of the library.

SECTION 1698. Organization:

Commissioner of education and commissioner of the interior shall be, respectively, president and vice president ex-officio. The board shall appoint a secretary and treasurer from among its members.

SECTION 1699. Use of library:

Members of the assembly and other officials named shall have the right to draw books.

SECTION 1700. Regulations by which other persons may use the library.

SECTION 1701. Public Documents:

Copies of all public documents of various departments are deposited in the library.

SECTION 1702. Upon the organization of the board, all the property of the San Juan library shall be turned over to it.

SECTION 1703. All inconsistent laws are hereby repealed.

SECTION 1704. Act to go into effect on its approval.

MUSEUM OF HISTORY AND ARCHÆOLOGY

SECTION 1705. Establishment:

The board of trustees of the Insular Library of Porto Rico is hereby authorized to establish a museum for the collection and preservation of articles illustrative of the archaeology and history of the Island of Porto Rico. The said board of trustees is authorized to receive as gift to The People of Porto Rico, or on deposit, any objects of

this character which shall be exhibited to the public with suitable marks and labels indicating the nature of the objects and the name of the giver or depositor. The said board of trustees is authorized to solicit the co-operation of municipal authorities and private persons in the collection of such material.

SECTION 1706. Expenses:

The expenses of correspondence and transportation, and of installing the exhibits in suitable cases shall be charged against the appropriation "Contingent expenses, Insular Library," but this fund shall not be used to the detriment of the work of the library itself nor shall it be used for the purchase of material.

SECTION 1707. Act effective when:

This act shall take effect July first, nineteen hundred and five.

RHODE ISLAND

STATE LIBRARY

GENERAL LAWS, REVISION OF 1909, PAGE 191, CHAPTER 38

SECTION 1. Care of library:

Secretary of state shall have the care of the state library, except the law library. (P. L. 1901).

SECTION 2. Appropriations:

Appropriates thirteen hundred dollars (\$1300) for the state library.
(P. L. 1906)

SECTION 3. Report:

Secretary of state shall report annually to the general assembly.
(P. L. 1901).

SECTION 4. Librarian:

State librarian shall be appointed at the January session, 1910, and every third year thereafter, by secretary of state with the consent of the senate, for three years, to receive a salary not to exceed sixteen hundred dollars (\$1600). (P. L. 1905, P. L. 1907).

SECTION 5. Exchanges:

Duty of state librarian to exchange documents with nations, states, etc.

SECTION 6. Departments may distribute their own publications.

SECTION 7. Exchanges shall be made with the state libraries of other states.

SECTION 8. Supply of publications:

Each state officer on requisition of the state librarian shall supply the state librarian with a sufficient number of each publication.

SECTION 9. Distribution of publications:

Librarian shall distribute publications to the several libraries of the state on application.

SECTION 10. Publications for exchange:

Twenty-five copies of every volume published by the state shall be transmitted to the state librarian for exchange.

LAW LIBRARY

SECTION 11. Publications:

All judicial decisions and statutes to be placed in the law library.

SECTION 12. Librarian:

Supreme court to have custody of law library and shall appoint a librarian.

SECTION 13. Appropriation:

Appropriates four thousand dollars (\$4000) for the purchase and binding of books for law library.

RHODE ISLAND & NEWPORT HISTORICAL SOCIETY

SECTION 14. Appropriation:

Appropriates fifteen hundred (\$1500) for the Rhode Island Historical Society, and five hundred dollars (\$500) for the Newport Historical Society.

SECTION 15. Reports:

The Rhode Island and the Newport Historical Society shall report annually to the General Assembly.

SECTION 16. All volumes purchased by these societies shall be marked plainly as property of the state.

LEGISLATIVE REFERENCE BUREAU

SECTION 17. Establishment:

Provides for the establishment of a legislative reference bureau in the state library, which shall collect and arrange books, pamphlets and other material relating to legislation, abstracts of laws in other states, and present such other information as may be useful to the General Assembly.

SECTION 18. Assistants. Appropriation:

Provides assistants for the state librarian, and appropriates twenty-three hundred dollars (\$2300) for the work of this bureau.

STATE AID TO LIBRARIES

GENERAL LAWS, REVISION OF 1909, PAGE 265, CHAPTER 63

SECTION 6. [State] board of education:

Board of education may cause to be paid annually for the use of each free public library established in the state, to be expended for the purchase of books, a sum not exceeding fifty dollars (\$50) for the first five hundred volumes included in such library, and twenty-five dollars (\$25) for every additional five hundred volumes therein; provided that the annual payment for the benefit of any such library shall not exceed five hundred dollars (\$500).

SECTION 7. Regulations:

[State] board of education shall establish rules, prescribe character of books which constitute such library, and regulate the management of such library so as to secure the free use of same to the people of the town or neighborhood. No library shall receive any

benefit under the foregoing provisions, unless such rules have been complied with.

TRAVELING LIBRARIES

SECTION 8. Establishment. Maintenance:

[State] board of education is authorized to establish and maintain a system of traveling libraries, and to render aid to libraries which establish branch or visiting libraries. The sum of one thousand dollars (\$1,000) is hereby appropriated to carry out the provisions of this section.

Note: This was amended, Acts and Resolves, 1911, chapter 678, to increase the amount to two thousand dollars (\$2,000) annually. It was again amended, Acts and Resolves, 1915, chapter 1212, to increase the amount to two thousand, five hundred dollars (\$2,500) annually.

FREE PUBLIC LIBRARIES IN TOWNS

GENERAL LAWS, REVISION OF 1909, PAGE 240, CHAPTER 53

SECTION 1. Donations:

In case any library or fund for the establishment thereof may be offered to any city or town on the condition that said library shall be maintained as a free public library, the city council of any city, or town council of any town, is hereby authorized to accept such gift in behalf of the city or town. (Verbatim)

SECTION 2. Establishment:

When any city or town shall establish a public library, the city or town council shall elect a board of not less than three, nor more than seven trustees, in three groups, by law; the term of the first group expiring in one year, the second in two years, and the third in three years; thereafter the terms to be three years; vacancies to be filled in the same manner.

SECTION 3. Duties of trustees:

They shall take possession of property, provide rooms, choose staff, fix compensation, make rules; provided, that no fee for the use of books shall ever be exacted.

SECTION 4. Support:

Each city or town shall annually appropriate for the library an amount at least as much as that which the library shall receive from the state. All appropriations shall be subject to exclusive control of the trustees.

SECTION 5. Gifts:

In case of any bequest, legacy or gift to, or in favor of, a public

library, the trustees thereof are authorized and empowered to accept the same in behalf of and for the use of the library, and their receipt shall be a full and sufficient discharge and release to any executor, administrator or other person authorized to make the payment thereof. (Verbatim)

ACTS AND RESOLVES, 1914, PAGE 52, CHAPTER 1036

To amend Section 5 of Chapter 46 of the General Laws:

The electors in any town or city voting at any meeting for the election of town officers or members of city council, may appropriate a sum not exceeding twenty-five cents (25c) on each one hundred dollars (\$100), for the foundation of a free public library with or without branches, which shall be used under regulations prescribed by the town or city council.

EXEMPTION FROM TAXATION

GENERAL LAWS, REVISION OF 1909, CHAPTER 56

SECTION 2. The following property and no other shall be exempt from taxation: * * * the property, real and personal, held for or by any incorporated library or society, or any free public library, or free public library society, so far as said property shall be held exclusively for library purposes, or for the aid or support of the aged poor, or for the aid or support of poor, friendless children, or for the aid or support of the poor generally; * * * (Verbatim)

PENALTIES IMPOSED FOR INJURING LIBRARY PROPERTY, ETC.

GENERAL LAWS, REVISION OF 1909, PAGE 1268, CHAPTER 345

SECTION 55. Penalty for injuring property:

Every person who wilfully or maliciously, or wantonly and without cause, writes upon, injures or destroys any book, pamphlet or other property belonging to any law, town, city or other free public or reference library, or suffers such injury to be inflicted while said property is in his custody, shall be fined not more than twenty dollars (\$20) the same to be for the use of the library. (Verbatim)

SECTION 56. Penalty for detaining property:

Every person who shall take or borrow from any public library any book, pamphlet or other property and who, upon neglect to return the same within the time specified by the rules, has been notified by the proper custodian that the same is overdue, shall, upon further neglect to return the same within two months from the date of

such notice, or upon neglect to pay the charges on the property, be guilty of a misdemeanor, and shall be fined not more than ten dollars (\$10), the same to be for the use of the library. A written or printed notice given personally or sent by mail to a last known or registered place of residence shall be considered sufficient notice.

SOUTH CAROLINA

STATE LIBRARY

CODE, 1912

SECTION 834. Librarian:

General assembly shall elect a state librarian, whose term of office shall be for two years.

SECTION 835. Duties:

State librarian shall have charge of the property of the state committed to his care and shall perform the duties required by the board of trustees.

SECTION 836. Provides salary.

SECTION 837. Oath of office. Bond.

SECTION 838. Board of trustees:

The governor, secretary of state, superintendent of education, and their successors in office, shall constitute exofficiis a board, designated the board of trustees of the state library.

SECTION 839. Powers of trustees:

Said board shall have power to expend any monies appropriated for the library, to make convenient rules for its care and management and to regulate the state library to the best advantage of the citizens of the state.

SECTION 840. Same:

Trustees shall be empowered to accept and retain donations, receive and disburse any funds obtained by gift.

SECTION 841. Unbound volumes:

Shall cause to be bound such volumes as in their judgment it may be necessary to bind.

SECTION 842. Sale of books:

Trustees are empowered to sell surplus books.

SECTION 843. Report:

Trustees required to report annually to the general assembly.

SUPREME COURT LIBRARY

SECTION 3820. Librarian:

Supreme court shall appoint a messenger of the court librarian who shall be in charge of the library of the court; provides salary.

SECTION 187. Legislative library:

Provides for annual appropriation for the purchase of a library for the use of members of the senate and house of representatives.

PUBLIC LIBRARIES

SECTION 3055. Any town or city may subscribe for the maintenance of a free public library to be conducted under such rules as may be prescribed by the board of aldermen or council.

Before any such subscription can be made, the question of making the same, with the amount and terms thereof, shall be submitted to the qualified voters, by resolution of the board of aldermen or council, upon the petition of the majority of the free-holders thereof.

SECTION 3056. Conduct of election:

The board of aldermen or council shall provide for the conduct of such election after giving two weeks' notice thereof in some newspaper published in such city or town and shall furnish the ballots to be voted.

The board of aldermen or council shall receive the returns and declare the results, and by resolution make the subscription or enter their refusal of record.

Elections for such purpose shall not be held within two years of each other.

SCHOOL LIBRARIES

SECTION 1796. Fund for free library:

Whenever the friends of a free public school shall raise by a private subscription and tender to the county treasurer for the establishment of a library the sum of ten dollars (\$10.00), the county board of education shall appropriate from the same school district fund the sum of ten dollars (\$10.00), together with ten dollars (\$10.00) from the general county school fund for a suitable book case.

SECTION 1797. Prescribes the form of payment.

SECTION 1798. Selection of books:

Local board of trustees shall select books from a list furnished by the state board of education. State board of education shall make rules for government of libraries.

SECTION 1799. Rules:

Trustees of every library shall carry out rules of state board and provide for locking up the books when not in use.

SECTION 1800. Exchanges:

Trustees of two or more libraries may, by agreement, exchange libraries.

SECTION 1801. Appropriation:

The sum of five thousand dollars to be annually appropriated, to be expended under the provisions of section 1796.

SECTION 1802. Number of schools:

Not more than twenty-five schools in any county shall be entitled to the benefit of section 1796.

SECTION 1803. Additional funds:

Whenever friends of any free public school shall raise five dollars (\$5.00), the county board of education shall appropriate five dollars (\$5.00) and the state board of education shall remit five dollars (\$5.00). The money thus collected shall be used for the enlargement of the library.

SECTION 1804. Condemned books:

It shall be unlawful to use any books which have been condemned or disapproved by the state board of education.

SCHOOL DISTRICT LIBRARIES IN CERTAIN COUNTIES

ACTS AND JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY, 1913,
PAGE 190, No. 127

SECTION 1. Trustees in certain school districts authorized to maintain libraries. In school districts in which are situated towns or cities of more than three thousand inhabitants, the trustees are authorized to appropriate, out of the annual levy for such schools, not exceeding three per cent for the purchase and maintenance of libraries; provided, that the provisions of this act shall apply only to Spartansburg County.

ACTS AND JOINT RESOLUTIONS OF THE GENERAL ASSEMBLY, 1914,
PAGE 913, No. 504

SECTION 1. School district number thirty-six, Marion County:

Provides that this school district may extend its circulation to other school districts of the county upon such terms as may be agreed upon.

SOUTH DAKOTA

STATE LIBRARY

POLITICAL CODE, 1913, PAGE 848, CHAPTER 33

SECTION 1. State library is defined to consist of books, papers and documents collected by the state historical society and put into the custody of the secretary of state, and exclusive of the library of the supreme court.

SECTION 2. State library shall be in the custody of the department of history; and the secretary of the state historical society is hereby made librarian.

SECTION 3. Surplus documents:

All surplus public documents are placed in the library. They may be sold or exchanged, and the proceeds used for the purchase of other books.

STATE LIBRARY DIVISION OF LEGISLATIVE
REFERENCE

POLITICAL CODE, 1913, PAGE 849, CHAPTER 33

SECTION 1. Duty of librarian:

The state librarian is directed to establish in the state library a division of legislative reference, in which he shall provide the reports of various officers and boards of the state and all other states so far as possible, material upon economical and sociological subjects; index and classify the same and make the information available for the use of the state legislature and shall, as required, furnish the members of the legislature information and assistance in drafting bills and in every reasonable way make the division useful in the preparation of legislation.

SECTION 2. Publications:

Various department officers, boards and the secretary of state shall provide reports, publications, statutes and session laws for the legislative division.

FREE LIBRARIES

LAWS OF 1913, CHAPTER 217

SECTION 1. Free libraries:

The free libraries of South Dakota shall consist of the supreme court library, state library, the free public libraries of the several cities, towns and townships and school district and traveling libraries as hereinafter provided.

SECTION 2. Management:

The supreme court library shall continue under the management of the supreme court, the state library and the traveling libraries under the management of the free library commission as hereinafter provided; the city, town and township libraries shall be under the management of the respective boards of public library trustees; and the school libraries shall continue under the management of the school boards or boards of education of the districts.

FREE LIBRARY COMMISSION

SECTION 3. Appointment:

The free library commission shall consist of the governor, superintendent of public instruction, state librarian and two additional members to be appointed by the governor. Terms shall be for three years, provided that these additional members shall be appointed one from nominations made by the state library association and one from nominations made by the state federation of women's clubs. Before the expiration of the terms of any appointed member, the state library association and the state federation of women's clubs shall file with the governor the names of three members from which the successor of such member may be chosen.

SECTION 4. Organization. Officers:

The superintendent of public instruction shall be president of the free library commission, and the state librarian secretary. It shall maintain its offices in the state library.

SECTION 5. Duties:

It shall be the duty of the free library commission to:

(a) Supervise the state library, make rules, accept gifts of books, money or property for use of state library, select and purchase books. (b) To operate traveling libraries: to provide for shipment of collections of books and pictures to be loaned to public libraries, library associations, study and other clubs, institutions and individuals, guarantee for safe-keeping and return of books being given and payment of all transportation charges made by borrowers. (c) Clearing house: to establish a clearing house for periodicals whereby public libraries, institutions and individuals may exchange periodicals and publications. (d) Books of department of public instruction; to incorporate in the state library miscellaneous books now in the department of public instruction not required in the administration of said department. (e) Book lists: to annually designate a list of books from which the county library board shall select books for the school libraries. (f) Advice and assistance: to give advice and assistance and to encourage the establishment of public libraries, to prescribe approved methods for

conducting them; it may send an assistant to any community to assist in the establishment of a library and the selection of books.

Note: For appropriation for traveling libraries, see Section 14, following.

SECTION 6. Records and reports:

The free library commission shall keep a record of its transactions and report biennially to the governor.

PUBLIC LIBRARIES

Section 7. The mayor of any city, president of trustees of any town, the chairman of supervisors of any township, in which a library is now or may hereafter be established, shall appoint five citizens, two of whom shall be women and not more than one of whom shall be a member of the appointing body; such to be confirmed by the council, commission, trustees or supervisors; to be known as the public library trustees; to be appointed for three years; provided that trustees now in office shall continue until the expiration of their terms. Trustees shall receive no compensation as such.

Any school board and board of library trustees may agree to unite a school library with the public library, excepting such reference books as may be necessary for the school. In such case the sum to be expended by the school for books shall be turned over to the library trustees; and a representative of the schools shall be a member of the board of trustees.

(As amended, Laws, 1915, page 385.)

SECTION 8. Duties of trustees:

It shall be the duty of the library trustees to provide accommodation for the library, to select books and periodicals; and they may accept gifts of books; they shall appoint a staff and fix their compensation, shall make all necessary rules and may provide for the circulation of books in the rural communities outside of the city, town or township; shall have power to place certain books upon a pay shelf and make a charge for the use thereof.

SECTION 9. Library levy:

On or before the first day of August each year, library trustees shall make an estimate of the necessary expenses for maintenance for the ensuing year; shall certify to the council, commission, trustees or supervisors of the city, town or township; and said council, commission or board shall cause such levy to be made for the ensuing year.

SECTION 10. Library fund:

Treasurer shall keep such funds as separate fund and pay the same upon warrants drawn by the library trustees.

SECTION 11. Limit of levy:

Total expense for maintenance of library shall not in any year exceed two mills on the dollar.

SECTION 12. Report:

The library trustees shall annually report to the free library commission.

SECTION 13. Vote on establishment:

Whenever five per cent of the voters in any city, town or township, shall petition for a library, the question shall be submitted at the next general election. If a majority of the votes cast upon the question are favorable, the authorities shall proceed to establish a library under the provisions of this section.

SECTION 14. Appropriations for traveling libraries:

Appropriates three thousand (\$3000.00) dollars for 1913 and three thousand (\$3000.00) dollars for 1914, for the maintenance of traveling libraries.

PUBLIC LIBRARIES IN CITIES OF THE FIRST AND
SECOND CLASS

COMPILED LAWS, 1913, V. 1

SECTION 1400. Establishment and maintenance.

On a petition of a majority of the voters in all cities of the first and second class, the council shall levy a tax not to exceed two mills, for the purpose of establishing and maintaining a public library. Council shall also levy tax, not exceeding three mills in any one year, for the purpose of creating a fund for the purchase of grounds and the erection of a library building.

Each year the city council shall appoint a committee to determine the amount of levy necessary for the ensuing year and also the amount necessary for the library building fund; and they shall report to the council and such levy shall be made, not to exceed a total levy of five mills for both library and building fund.

SECTION 1401. Trustees:

The mayor shall appoint three citizens as library trustees.

SECTION 1402. Term of office:

The members shall be appointed at first one for one year, one for two years, one for three years and thereafter for three years.

SECTION 1403. Duties of trustees.

The trustees shall select books, papers and other reading matter of the choicest character, see that books are well taken care of, provide suitable rooms and adopt plans for the benefit and accommodation

of the public for use of said library; shall appoint a staff, prescribe their duties and fix their pay.

SECTION 1404. Plans for building.

Council may, after a building fund is in the hands of the treasurer, cause plans and specifications for a library building to be prepared and submitted by an architect of unquestioned ability.

SECTION 1405. Building committee:

When the building fund has become sufficiently large, the mayor shall appoint a building committee of not more than seven or less than five citizens, appointment to be confirmed by the city council. Building committee to report to the council and the city council to have full supervision and direction of said building committee in a general way.

SECTION 1406. Advertise for bids:

When plans and specifications have been agreed upon, the building committee shall advertise for bids.

SECTION 1407. Treasurer:

City treasurer shall keep the building fund as a special fund.

SECTION 1408. Rate of tax:

County auditor shall calculate and fix rate of tax to be levied.

PUBLIC LIBRARIES IN CITIES OF THE THIRD CLASS,
TOWNS AND TOWNSHIPS

COMPILED LAWS, 1913, V. 1

SECTION 1527. Establishment:

The council of every city of the third class, trustees of every incorporated town and township, and the board of every township containing over five hundred people, shall have power to establish and maintain a public library and reading room and for such purpose may levy annually not to exceed one and one-half mills; provided, that no library shall be established until it be approved by a majority of the electors at a general election.

SECTION 1528. Directors:

The board of education or the board of supervisors of a township, shall appoint five citizens either male or female, as trustees, and one member of the board of education or the supervisors shall be included. Appointment shall be for two years. Vacancies shall be filled in the same way. No compensation shall be paid or allowed any director in such official capacity.

SECTION 1529. Organization and duties:

Directors shall organize by electing officers, shall make rules, shall

have control of expenditures, care and custody of library property: bills shall be paid upon the vouchers of the officers. They may, with the approval of the board of education or township supervisors, build, lease or purchase a building, not, however, employing for this purpose more than half the income of any one year.

SECTION 1530. Library free:

Every library and reading room thus established shall be forever free for the use of the inhabitants of the city, town or township, subject to reasonable rules.

SECTION 1531. Report:

Board of directors shall report annually to the board of education or board of supervisors.

SECTION 1532. Donations:

All persons desirous of making donations of money, books, personal property or real estate, for the benefit of such library shall have the right to vest the same in the board of directors, to be held and controlled by such board when accepted for the use of such library and reading room and as to such property, said board shall be held and considered to be special trustees.

SECTION 1533. Aid:

Provides that where in any city four hundred (\$400.00) dollars, or in any town or township, one hundred and fifty (\$150.00) dollars, has been donated for the purchase of a library, said council is authorized to appropriate two hundred (\$200.00) dollars, the board of trustees of a town or the supervisors of a township are authorized to appropriate one hundred (\$100.00) dollars; further provides for acquiring the books of a library association by a town.

CLASSIFICATION OF CITIES

SECTION 1179. All cities in this state shall be and are hereby divided into three classes according to the population of the same, as follows: all cities having ten thousand or more inhabitants shall be cities of the first class; all cities having two thousand and not exceeding ten thousand inhabitants shall be cities of the second class; all cities having less than two thousand inhabitants shall be cities of the third class. (Verbatim)

SECTION 1180. Census, etc.:

Provides that the census enumeration of the city at the last federal or state census shall determine the classification of such city.

Provided that in any city that is not enumerated, the vote cast for mayor at the last city election, multiplied by five, shall determine the population and classification until the next federal or state census: provided that this act shall not have the effect of reducing from a higher to a lower classification any city now classified.

TENNESSEE

STATE LIBRARY

SHANNON'S ANNOTATED CODE, 1896, VOL. 1

SECTION 1378. Librarian:

Librarian shall be elected by the general assembly; shall have charge of the state library, and hold office for two years.

SECTION 1379. Women eligible:

Women shall be eligible to the office of librarian. In the event of a vacancy when the general assembly is not in session, governor shall appoint a librarian to serve until the vacancy is filled by the assembly.

SECTION 1380. Hours of opening.

SECTION 1381. Appropriation.

SECTION 1382. Board of commissioners:

The governor and the judges of the supreme court shall be constituted board of commissioners to superintend and control the library, with power to make rules. Appropriations for the purchase of books shall be under their direction.

SECTION 1383. Report:

The librarian shall report to the board, which shall report to the general assembly at each session.

SECTION 1384. Exchanges:

Librarian shall exchange books and documents of the states and territories of the union with foreign countries, with associations and institutions.

SECTION 1385. Books not to be taken from the library:

Librarian shall permit no book or other property to be taken from the library, except by certain officers enumerated. Any violation of this section shall be a misdemeanor. On conviction thereof, the librarian shall be fined the sum of not less than ten dollars (\$10.00) and not more than fifty dollars (\$50.00); provided, that no lawyer or other person shall take any book from the library on the receipt of the governor, or supreme court judges, or members of general assembly.

SECTION 1386. Books for exchange:

Provides that fifty additional copies of documents shall be printed, and delivered to the library to be used in making exchanges.

SECTION 1387. Assistant librarian:

Provides for the appointment of an assistant at a salary of five hundred dollars (\$500) per annum.

(Note: Traveling libraries under direction of state library. See General Education Act, Section 4, following.)

GENERAL EDUCATION ACT

LAWS, 1909, CHAPTER 264, AS AMENDED BY LAWS, 1913, CHAPTER 123

SECTION 1 (1913). Appropriates thirty-three and one-third percent of the gross revenue of the state as a general education fund.

SECTION 4 (1913). (School libraries):

That one percent of the general education fund provided by this Act shall be used to encourage and assist in the establishment and maintenance of libraries in the public schools as herein provided. Whenever the patrons and friends of any public school in any county in the State shall raise by private subscription, or otherwise, and tender to the County Trustee, through the County Superintendent of Public Instruction, the sum of ten dollars or more for the establishment and maintenance of a library for that school, or for supplementing a library already established, said County Superintendent shall notify the State Superintendent of Public Instruction, and upon the certificate of the State Superintendent of Public Instruction, the Comptroller of the Treasury shall pay to the Trustee of said county, out of the fund herein provided, a sum equal to that raised by private subscription, or otherwise, to be added to the library fund of said school.

Provided, that the State will appropriate not more than forty dollars for this purpose to any one school during a single year.

(Commission Work)

Provided, further, that the State Board of Education shall have the power, and the same is hereby authorized, to employ a Director of Library Extension at a salary of not exceeding fifteen hundred dollars a year, with necessary traveling expenses as fixed by the State Board of Education, all to be paid out of the library fund as herein provided.

The said director of library extension shall have an office in the office of the State Superintendent of Public Instruction and shall work under his general supervision. It shall be the duty of the Director of Library Extension to encourage and stimulate the establishment of libraries, especially in public schools; to prepare selected lists of books adapted to the needs of various schools from the list approved by the State Board of Education; to render such assistance as the State Board of Education may require in the preparation of general school library lists; to visit teachers' institutes and other educational and community meetings in the interest of library extension, and for the purpose of giving instruction in the selection, care and use of libraries; to assist the State Superin-

tendent of Public Instruction in preparing reading circle courses for public school teachers and pupils, and to perform such additional duties as the State Board of Education may prescribe.

(Traveling Libraries)

One-fifth of the amount accruing annually for libraries under the provisions of this Act shall be used for the purchase and maintenance of circulating libraries under the direction of the State library. (Verbatim)

SECTION 5. Repeals all conflicting laws and parts of laws.

STATE BOARD OF EDUCATION

PUBLIC ACTS, 1915, CHAPTER 116

An act to reorganize State Board of Education.

SECTION 1. Appointment. Organization:

Shall consist of nine members appointed by the Governor, three from each grand division of the State. Governor shall designate one member chairman; the state superintendent shall be ex-officio secretary and executive officer.

SECTION 2. Terms:

Present members of board shall serve until expirations of their terms; new members, after first appointments, for terms of six years.

SECTIONS 3 and 4. No compensation. Expenses:

Members shall serve without compensation, but shall be allowed necessary traveling expenses.

SECTION 5. State superintendent:

Board shall fix the salary of the state superintendent, and elect the successor to the present incumbent.

SECTION 6. Repeals all conflicting laws.

Note: The State Board of Education thus constituted employs the director of library extension provided for in foregoing section 4 of General Education Act, Laws, 1913, chapter 123, and is responsible for the work of library extension throughout the state, having taken over the work of the former library commission. The Board of Education was originally created in 1875; the foregoing sections give the latest form of the law authorizing it.

LIBRARY COMMISSION

Note: A library commission was established in 1909, under authority of Acts, 1909, chapter 177, and carried on its work until

it was relieved by the director appointed by the State Board of Education. The following section prescribed its duties:

ACTS, 1909, CHAPTER 177

SECTION 3. Duties of commission:

The commission shall encourage and promote the establishment, throughout the state, of free public, school, traveling and other libraries, and aid libraries already established; shall give information to communities in the state as to the best methods of establishment, organization and administration; shall, on request, furnish like assistance to libraries, already established; is authorized to purchase and accept gifts of books, periodicals, etc., and traveling libraries.

Note: These duties were taken over by the director, as noted above, except the traveling libraries, which were transferred to the State library and added to the traveling libraries already operated by the State library, under authority of Laws, 1913, chapter 123, section 4.

LAW LIBRARIES

SUPPLEMENT TO SHANNON'S CODE, 1897-1903

SECTION 2105. Bar and library association:

- (1) Authorizes the incorporation of bar and library association by five or more persons.
- (2) Charter to be probated and registered in proper form.
- (2-a) Amendments of charter.
- (3) Existing association may obtain benefit of this act.
- (4) Gives form of charter.
- (5) Powers of corporation.

May admit additional persons, members of the bar; fix amount of capital stock; all money raised shall be used for the benefit of the library; shall have power to buy books, furniture, etc., to purchase land or buildings and to erect buildings.

COUNTY LIBRARY

ACTS, 1913, CHAPTER 278

SECTION 1. County library in particular county. Establishment:

Authorizes any county having a population of not less than thirty-one thousand or more than thirty-one thousand, one hundred, to establish a library and levy a tax of not more than five cents on each one hundred dollars.

SECTIONS 2-14. Provide for the organization of such a library, give the powers and duties of its board, and also provide for its cooperation with the municipal corporation in the establishment of a library.

Note: The foregoing is limited, by the conditions of population, to apply to only a single county, and there appear to be several such special laws, in Tennessee, which are probably not important for the purpose of this compilation.

PUBLIC LIBRARIES

LAWS, 1897, CHAPTER 105

SECTION 1. Establishment:

The mayor and council of each municipal corporation or taxing district shall have power to establish and maintain a free public library and reading room for the use of the inhabitants of such municipality, and for this purpose may levy not more than five cents annually on each one hundred dollars; or, such municipality may make an annual appropriation to maintain a free public library. (As amended, Acts, 1909, Chapter 88).

SECTION 2. Library board:

When any mayor and city council shall have decided to establish such free library, the mayor shall appoint, with the approval of the council, a board of nine directors, citizens of the municipality. No member of the municipal government shall be a member of such board, and not more than six members of such board shall belong to the same political party. Said directors shall hold office, one-third for one year; one-third for two years; one third for three years,—and their successors for three years. Mayor, with consent of council, may remove any director for misconduct or neglect. Vacancies shall be filled in the same manner as original appointments. No director shall receive compensation, and the officers and employees of the library shall give bond.

SECTION 3. Organization:

Directors shall organize by electing officers; they shall have complete and final power to appoint staff, fix compensation and remove the appointees at pleasure.

SECTION 4. Rules:

Directors shall have power to make rules and regulations not inconsistent with this act, and to prescribe penalties for violation of same; provided, the mayor and council shall have power to set any of these acts aside.

SECTION 5. Powers:

Directors shall have power to purchase or lease grounds, or erect buildings, accept any gift of money or property thereto; all property purchased or otherwise obtained shall vest in such board and their successors, to be held in trust for the use of said library. Board shall have exclusive care of ground, rooms and buildings, and

control expenditures of all monies. All library funds shall be kept separate, and disbursed only when drawn upon by proper officers of the municipality upon the properly authenticated vouchers of the directors.

SECTION 6. Rules:

Such libraries shall be forever free to the use of the inhabitants, subject to reasonable rules. The board may extend the privilege of the library to persons residing outside the municipality, upon such terms as they may deem proper.

SECTION 7. Directors shall report annually to the mayor and council.

SECTION 8. Aid to libraries already established:

Mayor and council of any municipal corporation included in section 1 of this act shall have power to aid any free public library association already established in such municipality, and for that purpose may levy, from year to year, the tax authorized in said section, and may expend the tax so collected; provided: (1) That it is legally incorporated. (2) That it is already in regular and useful operation with a lawfully constituted board. (3) That it has available for public use, and in such use, books to the value of not less than five thousand dollars; and provided further, that it shall be shown that such aid is needed in order to continue useful public operation.

SECTION 9. Management of library association libraries:

Any library association receiving municipal aid as provided in the foregoing section 8 may continue to select its own director and control of its own management; provided, mayor and council, while such association is receiving such aid, shall have power at any time to appoint three directors on said library board; further, provided that mayor and city council shall have the same power to set aside rules and regulations of said association as is granted in the foregoing section 4. No director of any library association receiving such aid shall receive compensation for services rendered as such. Officers and employees of such association shall give bond.

SECTION 10. Powers:

Any free public library association receiving municipal aid as provided in the foregoing section 8 shall be subject to the provisions of, and vested with the powers granted in, the foregoing sections 6 and 7.

SECTION 11. Funds:

Funds of such library association shall be kept separate and apart, and disbursed as required in section 5.

SECTION 12. Penalties:

Mayor and council shall have power to pass ordinances providing penalties for injury to property of such library.

SECTION 13. Exemption:

Property of such library shall be exempt from taxation.

LAWS, 1897, CHAPTER 68

SECTION 1. Vote upon petition:

Any incorporated town of less than twenty thousand people may, on a petition of twenty or more taxpayers, at a general or special election, submit the matter of the establishment of a public library.

SECTION 2. Levy:

After its ratification by a majority of voters, the authorities may levy, collect and disburse an amount not exceeding five hundred dollars (\$500.00), for the maintenance of a public library.

SECTION 3. Management:

Management of such libraries shall be under the direction of town authority, by committee or otherwise.

SECTION 4. Rules:

Such library shall be forever free to the inhabitants, subject to rules and regulations of the board or commission having the library in charge. Such board may extend the use of the library to non-residents, upon terms prescribed by them.

SECTION 5. Report:

The board or commission shall report annually to the council.

SECTION 6. Penalties:

Council shall have power to pass ordinances imposing penalties for injury to or failure to return books.

SECTION 7. Donations:

Any person desiring to make donations of books, money, personal property or real estate, for the benefit of such library, shall have the right to vest the title to such books, money or real estate so donated, in the board or commission duly constituted for the management of such library, to be held and controlled by such board or commission when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property the said board or commissioners shall be held and considered special trustees.

TEXAS

LIBRARY AND HISTORICAL COMMISSION

VERNON SAYLES' ANNOTATED CIVIL STATUTES, 1914, VOL. 4.

ARTICLE 5599. Object and purpose:

Texas library and historical commission shall consist of five members; shall have offices at the capitol; shall control and administer the state library, adopt and enforce reasonable rules and regulations therefor; shall aid and encourage libraries; shall collect material relating to the history of Texas and adjoining states; preserve, classify and publish manuscripts, archives; diffuse knowledge in regard to the history of Texas; encourage historical research; mark and preserve historic sites; aid in the state legislative problems and perform such other duties as may be enjoined by law.

ARTICLE 5600. Commission; how constituted:

The governor shall with consent of the senate appoint three persons who, with the superintendent of public instruction and the head of the school of history of the state university, shall constitute the Texas library and historical commission. Appointment shall be for two years. The governor shall fill vacancies for the unexpired term.

ARTICLE 5601. Meeting. State library:

Commission shall meet at least once annually; and as many special meetings as may be necessary may be held. State librarian hereinafter provided for shall be secretary of the commission. No commissioner shall receive any compensation, but actual expenses incurred in attending meetings, or visiting libraries shall be paid by the state. Commission shall elect state librarian not of their own number and experienced. State librarian shall serve at the will of the commission; shall give an acceptable bond for five thousand dollars. He shall keep a record of the proceedings of the commission and of its financial transactions and perform other duties assigned by the commission. In addition to his salary, the state librarian shall be allowed actual expenses for traveling for the commission.

ARTICLE 5602. Powers and duties:

Commission is authorized to purchase, within the limit of an annual appropriation, books, pictures, etc.; shall advise as to the establishment, maintenance and management of libraries; shall conduct library institutes and encourage library associations. Librarian shall investigate the conditions of the libraries and report to the commission.

ARTICLE 5603. Gifts:

Commission shall have power and authority to receive donations or gifts of money or property upon such terms and conditions as it may deem proper, provided no financial liability is entailed upon the state.

ARTICLE 5604. State library:

All books, pictures, etc., received through gift, purchase or exchange or on deposit, shall constitute a part of the state library for the use of the public.

ARTICLE 5605. Transfer of books, pictures, etc.:

Provides that books and other material in charge of the department of insurance and banking and other property shall be transferred to the commission and form a part of the state library.

ARTICLE 5606. Duties of state librarian:

Duties of the state librarian under the direction of the commission shall be as follows:

1. He shall have charge of the state library and all books and other property therein contained.
2. He shall endeavor to collect all manuscripts, pamphlets, books, newspapers, etc., relating to the history of Texas, and shall cause current files of the leading newspapers to be bound.
3. He shall receive from the state department all material relating to the history of Texas not necessary for the current duties of that department.
4. All officials in the state are authorized to turn over to the state library similar material in their possession.
5. He shall endeavor to procure from Mexico archives relating to the history of Texas.
6. He shall preserve all historical relics, etc., and endeavor to build up a historical library.
7. He shall make and certify copies of papers and documents in the library on payment of a fee; such fee to be turned over to the state treasurer. Such certified copies shall be received in evidence by the courts.
8. He shall classify, index and preserve official archives.
9. He shall make a biennial report to the commission to be by them transmitted to the governor.

ARTICLE 5607. Books, etc., transferred:

All books, pictures, etc., transferred from other departments shall be regarded as a part of the state library.

ARTICLES 5607a and 5607b. Distribution of reports, etc.:

Provide for the sale and distribution of reports and copies of archives.

ARTICLE 5608. Legislative reference section:

Provides for the maintenance of a section of the state library as

a legislative reference library under the charge of an assistant librarian.

ARTICLE 5609. Report.

Commission shall make a biennial report to the governor, including a report of the state librarian.

ARTICLE 5609a. Penalty:

Provides penalty for over-detention of books, being a fine of not less than one dollar nor more than twenty-five dollars.

FARMERS' COUNTY LIBRARY

VERNON SAYLES' ANNOTATED CIVIL STATUTES, 1914, VOL. I,

PAGE 22, CHAPTER 5

ARTICLE 14xx. Submission to vote:

Upon the petition of one hundred or more voters filed with the county judge thirty days prior to any county election, praying that a proposition for a farmers' county library be submitted to the people, such proposition shall be submitted at the next ensuing county election.

ARTICLE 14y. Establishment:

If a majority of all votes cast upon such question are in favor thereof, the commissioners' court within six months shall provide a room or rooms in the court house sufficient for such library and make a sufficient appropriation for its maintenance.

ARTICLE 14yy. Librarian:

Commission shall employ a librarian to gather information pertaining to agriculture, horticulture and kindred subjects.

ARTICLE 14z. Commission shall have control of the library and make necessary rules and regulations.

COUNTY LIBRARIES

GENERAL LAWS, 1915, CHAPTER 117

To establish and maintain county free libraries and county circulating libraries.

SECTION 1. Establishment:

County commissioners' court of the several counties shall have power to establish, maintain and operate within their respective counties, free county libraries or circulating libraries in the manner and with the functions prescribed in this act. (Verbatim)

SECTION 2. Establishment:

Commissioners' court may establish county free libraries and circulating libraries for that part of such county outside of cities and towns maintaining free libraries and for all such additional portions as may elect to participate in the county system. When petitioned by twenty-five per cent of the voters of that part of the county to be affected by this act, commissioners' court shall order an election, which shall be held under the laws governing local option elections. When two-thirds vote for said county free library or circulating library, or for both, or against either or both, an order shall be made on the minutes of the said court declaring the result, which order shall be prima facie evidence of the legality of all proceedings. If two-thirds vote favors the establishment of a county free library or circulating library, or both, the commissioners' court shall establish and provide for the operation and maintenance of either or both. If one-third or more of the voters oppose the establishment of such libraries, no such election shall be held upon these subjects until the lapse of two years.

SECTION 3. Librarian. County library board:

Commissioners' court at first meeting thereafter shall select a librarian for the county, who shall have charge of all the library property and the control and management of all libraries established under the direction of the court. Such librarian shall be selected from the names of one or more persons submitted to the county commissioner's court by the library board of the county. The library board shall consist of three persons appointed by the commissioners' court of whom the county superintendent or ex-officio superintendent shall be chairman; the other two members shall be selected at large. They shall hold their offices for four years. Chairman shall keep a record of the proceedings.

SECTION 4. Participation of cities or towns:

After the establishment of such county free libraries, the trustees, council or other legislative body of any incorporated city or town may notify the commissioners' court that such city or town desires to become a part of the county free library system and thereafter such city or town shall participate in the benefits and be liable to taxes for county free library. In like manner such legislative body may notify the commissioners' court that such city or town no longer desires to be a part of the county library system and thereafter such city or town shall no longer participate in the benefits nor be liable to taxation, for the county free library. Provided that notice by publication shall be given six weeks previous to either giving or withdrawing notice.

SECTION 5. Salaries:

Commissioners' court at the first regular meeting each year shall

fix the salary of the county librarian and assistants, if any, for the year.

SECTION 6. Contracts for use of library:

Commissioners' court of any county wherein a free library has been established shall have power to contract with any incorporated city or town maintaining a library, and any such city or town shall have power to contract with such county, to secure to the residents of such city or town the same privileges of the county library as are granted to the residents of the county outside of such city or town, or such privileges as may be agreed upon in the contract, upon such consideration as may be agreed upon; the same to be paid into the county library fund; and thereupon the residents of such city or town shall have the same privileges in the county library as the residents of such county, or such privileges as may be agreed upon.

SECTION 7. Books teaching partisan politics or sectarian religious doctrines, debarred:

It is expressly provided that no books, papers or periodicals whose main purpose is to teach sectarian doctrines in religion, or partisan politics, shall ever be bought or permitted among the books, papers or periodicals of such library. (Verbatim)

SECTION 8. Contract with another county:

Commissioners' court of any county where a library is established shall have full power to contract with the commissioners' court of any other county to secure to the residents of such other county the privileges of such county library, upon such consideration as may in said contract be agreed upon; and the commissioners' court of such county shall have full power to contract with the commissioners' court of another county having a library; but the making of such contract shall not bar the commissioners' of such county during the continuance of such contract from establishing a county library, and upon such establishment such contract may be terminated as agreed by the parties thereto.

SECTION 9. White and colored citizens:

Any white citizen of such county under the rules and regulations prescribed by the board may hold membership in said free public library or circulating library and be entitled to the privileges thereof; provided any county in this state having a colored population sufficiently large, in the opinion of the board, to justify such action, a joint meeting of the commissioners' court and the county library board called by the president of the said board, may, by a majority action, establish a circulating library or county free library for the use of the colored citizens if such county, under such rules and regulations and with such division of money for management, etc., as they may determine. (Verbatim)

SECTION 10. Librarian:

Upon the establishment of a county library, the commissioners' court shall appoint a county librarian for four years, subject to prior removal for cause.

SECTION 11. Management of library:

Commissioners' court shall have general supervision of the county library, make rules, and upon recommendation of the librarian establish branch libraries and stations; shall determine the number of assistants and employ and dismiss them upon the recommendation of the librarian.

SECTION 12. Salary:

The salary of county librarian shall be fixed by the commissioners' court, at the first regular meeting each year.

SECTION 13. County library board (See Section 3):

The members of said county library board shall serve without pay.

SECTION 14. Report:

The county librarian shall report annually to the commissioners' court.

SECTION 15. Maintenance:

Commissioners' court, after a county library has been established shall annually levy a tax not to exceed six mills on one hundred dollars' valuation, upon all the territory participating, for the purpose of purchasing property and maintaining such library. Commissioners' court is authorized and empowered to receive on behalf of the county any gift, bequest or devise for the county free library or circulating library, or for any branch or subdivision thereof. The title to all property belonging to the county free library or circulating library shall be vested in the county; but where gifts or bequests are made for the benefit of any particular branch of the county free library or circulating library, such gifts or bequests shall be administered as designed by the donor or deviser. All laws applicable to the collection of county taxes shall apply to the collection of taxes hereinafter provided. All funds of the county free library derived from taxation or otherwise, shall be in custody of the county treasurer, shall constitute a separate county library fund and shall not be used for any other purposes except those of the county free library or circulating library.

(Verbatim as to gifts and funds)

SECTION 16. Merger of farmers' library:

In any county where a farmers' library has been established, the same shall continue to operate, unless by vote of the electors it is decided to establish a county library, in which case the former shall be merged with the latter.

SECTION 17. Gifts:

Commissioners' court shall have power to accept on behalf of the county free library or circulating library and its branches, all bequests, gifts, donations, such as books, charts, periodicals, newspapers, lands, buildings, equipment, supplies and other things of value necessary for the maintenance and prosecution of the work of such libraries, and to administer the same as part of the county free library or circulating system. (Verbatim)

SECTION 18. Disestablishment:

Any county library may be disestablished in the following manner: At least once a week for six successive weeks prior to taking action, the commissioners' court shall publish notice of such contemplated action, giving the date of the meeting at which it is proposed to be taken.

SECTION 19. Use of library already established:

Instead of establishing a separate county library, the commissioners' court of any county may contract with the authority in charge of any public library in any city or town and the authority in charge of such library is authorized to make such contract. Such contract may provide that such library may assume the functions of the county library within the county.

SECTION 20. Validity:

In case any section of this act or any provision therein is declared to be unconstitutional, or invalid for any reason, the same shall in no wise affect the remaining sections and provisions of this act. (Verbatim)

SECTION 21. Declares this act an emergency measure.

MUNICIPAL LIBRARIES

VERNON'S SAYLES' ANNOTATED CIVIL STATUTES, 1914, v. 1

ARTICLE 853. Establishment. Management. Support:

Any incorporated city or town in this state is authorized to establish a free library in such city or town and adopt regulations for the proper management thereof, and to appropriate such part of the revenues of such city or town for the management and increase of such free library, as the municipal government of such city or town may determine.

LIBRARY ASSOCIATIONS

ARTICLE 1121. Purposes of corporations:

The purposes for which private corporations may be formed are:

* * * *

3. The support of any literary or scientific undertaking:
The maintenance of a library or promotion of painting, music and
other fine arts * * * .

ARTICLE 1136. Provides for the renewal and consolidation of two
or more such corporations.

EXEMPTION

VERNON'S SAYLES' ANNOTATED CIVIL STATUTES, 1914, v. 3

ARTICLE 3791. Public libraries:

All public libraries shall be exempt from attachment, execution and
from other species of forced sale. (Verbatim)

VERNON'S SAYLES' ANNOTATED CIVIL STATUTES, 1914, v. 4

ARTICLE 7507. Exemption from taxation:

The following property shall be exempt from taxation, to-wit:
* * * *

9. Public libraries. All public libraries and personal property
belonging to the same * * * .

UTAH

STATE LIBRARY

COMPILED LAWS, 1907

SECTION 1349. Board of control:

Governor, secretary of state, chief justice and associate justices of the Supreme Court, shall constitute the board of control of the state library.

SECTION 1350. Rules:

Public shall have access to the library. Board of control may make such rules and regulations, not inconsistent with this chapter, as they deem proper, and may prescribe penalties for the violation thereof.

SECTION 1351. Loan of books:

Mentions the state officers who are entitled to borrow books from the library, and limits it to those mentioned.

SECTION 1352. Records:

Prescribes the form for keeping the record of books issued and returned.

SECTION 1353. Penalties:

Provides penalties for failure to return books.

SECTION 1354. Report:

Librarian shall report annually to the governor.

SECTION 1355. Catalog:

Librarian shall make and cause to be printed a catalog.

SECTION 1356. Books to be labeled.

SECTION 1357. Sale of and exchange of books.

SECTION 1358. Penalties:

Librarian shall be liable to penalty if he permits books to be taken by unauthorized persons.

SECTION 1359. Penalties:

Unauthorized persons taking books shall be subject to penalty.

STATE BOARD OF EDUCATION

WORK OF LIBRARY COMMISSION

COMPILED LAWS, 1907

SECTION 1763. State board of education shall consist of the state superintendent of public instruction, president of the University of Utah, president of the agricultural college of Utah, and six

other persons appointed by the governor with the consent of the senate, two each biennium and for six-year terms, except that the first appointments shall be classified by the governor as to the length of the terms so as to provide for such future biennial appointments. Appointments to fill vacancies shall be for unexpired terms. Such appointments shall be influenced only by consideration of merit and fitness, and shall be made without reference to residence, occupation, party affiliation, religion or sex. The governor may remove any member for immorality, malfeasance, incompetence or neglect. The general control and supervision of the public school system is vested in the state board of education. The state board of education shall also promote the establishment of libraries and gymnasiums throughout the state, and shall have power to appoint a secretary, who shall work under the direction of the state superintendent of public instruction. The salary of the secretary shall be fixed by the state board of education, with the approval of the state examiners. The board shall have the power to call to its assistance expert help to promote libraries and gymnasiums, whenever needed. Traveling expenses incurred by such help, and the salary of the secretary, shall be paid from the contingent fund of the state board of education. The secretary shall have a salary, actual and necessary traveling expenses. (As amended, Laws 1911 and Laws 1915, p. 188, chapter 109).

LAWS, 1911, PAGE 93, CHAPTER 67

SECTION 2. Chapter 57, Laws, 1909, is hereby repealed.

Note. Chapter 57, Laws of 1909, repealed by the foregoing, created a state library-gymnasium commission of five members to be appointed by the State board of education; provided for their organization and purpose, and an appropriation of two thousand dollars per year.

Section 1763 above in effect abolishes this commission and imposes their duties upon the state board of education.

PUBLIC LIBRARIES

COMPILED LAWS, 1907

SECTION 174. Classification of cities:

Cities having thirty thousand or more inhabitants shall be known as cities of the first class; having more than five thousand and less than thirty thousand, as cities of the second class; all other cities are cities of the third class.

CITIES OF THE FIRST AND SECOND CLASSES

SECTION 1360. Cities of the first and second classes may establish libraries:

The governing body of each city of the first and second class shall have power to establish and maintain a public library and reading room; and for that purpose cities of the first class must levy a tax of one-third of one mill on the dollar and may levy a tax not to exceed two-thirds of one mill on the dollar; and cities of the second class may levy a tax not to exceed one mill on the dollar annually; proceeds to be known as the library fund; provided, that no such tax shall be levied in the first instance in a city of the first class, until a petition signed by at least one thousand qualified voters and property taxpayers shall have been filed with the governing body of such city, nor in any city of the second class until such petition signed by at least two hundred and fifty qualified voters and property tax-payers, residents of such city, shall have been so filed. (As amended, 1907).

SECTION 1361. Directors:

When the city council in any city of the first or second class shall have decided to establish a public library under the provisions herein, the mayor shall, with the approval of the council, appoint nine directors, citizens at large; and not more than one member of the council shall be at any one time a member of said board.

SECTION 1362. Terms:

Directors first appointed shall hold office one-third for one year, one-third for two years, one-third for three years; thereafter for three years. The mayor may, with consent of council, remove any director for misconduct or neglect.

SECTION 1363. Vacancies shall be filled in the same manner as original appointment.

SECTION 1364. Powers:

Directors shall organize by election of officers, shall make by-laws and regulations, shall have exclusive control of the expenditure of the library fund, the construction of buildings, care and custody of grounds, rooms and buildings. All money for such library shall be deposited in the city treasury and drawn upon by the officers of the city upon the vouchers of the library board. Board shall have power to purchase or lease grounds, lease or erect buildings, appoint a staff, fix their compensation and remove them, and in general carry out the intent of this chapter.

SECTION 1365. Use of library:

Every library and reading-room shall be forever free to the inhabitants of the city. Board may make rules for its use, and may extend the privileges to non-residents, upon such conditions as they may prescribe.

SECTION 1366. Report:

Directors shall report annually to the city council.

SECTION 1367. Penalties:

Council shall have power to pass ordinances imposing penalties for injury to, or failure to return, library property.

SECTION 1368. Donations:

Any person desiring to make donations of money, personal property or real estate, for the benefit of such library, shall have the right to vest the title to the money or real estate so donated in the board of directors created under this chapter, to be held and controlled by such board when accepted, according to the terms of the deed, gift, devise or bequest of such property; and as to such property said board shall be held and considered to be special trustees.

CITIES OF THIRD CLASS

SECTION 1369. Library and gymnasium. Tax for:

When ten percent of the legal voters of any city of the third class, or incorporated town, shall petition city council or town trustees, asking that a public library be established and maintained or that a public library with a gymnasium in connection therewith be established and maintained, and shall specify in their petition a rate of taxation, not to exceed one mill for the public library or not to exceed one and three-tenths of a mill for the public library and gymnasium, then the council or trustees shall call an election to determine such question, and a majority vote of the property taxpayers voting shall determine the question; and the town or district is thereby authorized to establish and maintain a library, or a library with gymnasium; and the council or trustees are thereby authorized to levy the taxes specified in either case. When a library is established under the provisions of this section, the city council or board of trustees shall have all the power and authority conferred on city councils of the first and second classes under the provisions of this chapter. (As amended, Laws, 1909, p. 13, chap. 73, and Laws, 1915, p. 193, chap. 111).

SECTION 1370. Directors. Terms. Powers:

When the city council or board of trustees of any city of the third class or of an incorporated town shall have established a public library or gymnasium in accordance with the provisions of the next preceding section, the mayor of such city or president of the trustees of such town shall, with approval of council or trustees, appoint six directors, who, with the mayor or president of trustees, shall constitute the board of directors of such library or library and gymnasium, whose terms of office shall be for six years,—excepting those of the first appointees, which shall be two for two, two for

four and two for six, years; provided, that all directors now elected and serving on any library board shall fill out their unexpired terms. Such board of directors shall have all of the powers conferred by this chapter upon boards of directors created for the management of public libraries of the first and second classes, and shall serve without compensation. (As amended, Laws, 1911, p. 104, chap. 74).

GENERAL

SECTION 1371. Provides for cooperation between cities and school districts in the establishment of a library. (As amended, Laws, 1911, p. 104, chap. 74).

LAWS, 1915, PAGE 156, CHAPTER 100

SECTION 206. General powers of council:

Said council shall have powers in the following sections enumerated

* * * *

SECTION 206x76 (Page 167). Public libraries:

To establish, maintain and regulate free public libraries and reading-rooms, as provided by law and to perpetuate such free libraries and reading-rooms as may have been heretofore established in said cities.

* * * *

SCHOOL LIBRARIES

COMPILED LAWS, 1907

SECTION 1815. School District levy. Collection and disbursement:

The school district board shall have general charge * * * of the schools of the district, * * *

It shall have the power to establish and maintain school libraries, which, in districts that have no free library or reading room, may be open to the public under such regulations as the Board may provide. For the purpose of purchasing books and magazines for these school libraries, the board shall set aside annually from the tax herein provided an amount equal to fifteen cents per capita for each child in the district between the ages of six and eighteen years, inclusive, the computation being based on the school census at the time when the tax is levied; provided, the library fund thus created shall be expended under the direction of the State Board of Education for such books and magazines as they shall recommend and under such regulations as they may prescribe; provided, further, that this Act shall apply to all school districts outside of cities of the first and second classes, and to county school districts of the first class. (As amended, Laws, 1909, chapter 44, and Laws, 1915, chapter 111).

VERMONT

STATE LIBRARY

STATUTES, 1906

SECTION 263. Contents. Trustees:

The state library consists of such books, maps, charts and documents as are acquired by the state or public officers for the use of the state, and shall be under the direction of nine trustees. The governor, the chief judge of the supreme court and the secretary of state shall be ex officio trustees.

SECTION 264. The trustees shall have power:

1. To fill vacancies in the offices of state and resident trustees.
2. To appoint and remove a secretary who shall also act as librarian.
3. To prescribe rules and by-laws for the government of the library.
4. To expend money appropriated for the library.
5. To sell or exchange imperfect or duplicate books belonging to the library.
6. To make exchange of books for the benefit of the library. For this purpose, one hundred copies of each state publication shall be placed in the library.

SECTION 265. Quorum:

For the appointment of the secretary and for the adoption of rules, six members shall be a quorum; to fill vacancies in the board of trustees, four members; for ordinary business, three members.

SECTION 266. Trustees' duties:

The trustees shall report biennially to the general assembly; shall make as often as they deem expedient, a catalogue of books, etc., which shall be printed; shall prescribe the duties of the secretary and librarian, and arrange for the use of the library, and for the distribution of public documents, etc., not otherwise provided for.

SECTION 267. No salary for trustees:

No salary or compensation shall be allowed to trustees.

SECTION 268. Assistant librarian:

Provides for assistant librarian.

SECTION 269. Appropriation for assistance:

Six hundred (\$600.00) dollars is annually appropriated for extra assistance during the session of the supreme court and when deemed necessary.

SECTION 270. Penalty:

A person who violates the rules prescribed by the trustees shall pay the penalties prescribed. Such penalties may be recovered in an action.

SECTION 271. Appropriation for books:

Eight hundred (\$800.00) dollars is annually appropriated for the purchase of books, etc.

SECTION 272. Books sold:

Proceeds of books sold shall be expended for books.

VERMONT HISTORICAL SOCIETY

SECTION 273. Appropriation:

One hundred (\$100.00) dollars is annually appropriated for binding and preserving the books of the society.

SECTION 274. Disposition:

Provides that when the society is dissolved, this property shall become the property of the state.

SECTION 275. Members ex-officiis:

Provides that the secretary of state, the auditor of accounts and the state librarian shall be ex-officiis members of the board of curators.

LEGISLATIVE REFERENCE BUREAU

Laws, 1912, p. 14

Act No. 14 relating to legislative reference bureau amends former act.

Section 1, No. 9 of acts of 1910, is hereby amended to read as follows:

SECTION 1. Creation:

There is hereby created and shall be hereafter maintained in connection with the state library a legislative reference bureau, which shall be in charge of a legislative reference librarian appointed by the governor to hold office until removed for cause and to perform, under the supervision of the state librarian, the duties hereinafter prescribed.

SECTION 2. Duties of librarian:

Shall collect, arrange, index and place on file material relating to legislation, arrange public documents for use, index bills, prepare abstracts of law and other statements. Shall furnish such other information as may be useful to the members of the general assem-

bly. Shall co-operate with the revisors of bills and act as a co-ordinate member of their board.

SECTION 3. Revisors of bills:

Two men of legal training and with legislative experience, who shall not be eligible to membership in the legislature during incumbency in this office, shall be appointed by the governor and confirmed by the senate as revisors of bills. They shall perform their duties in connection with the legislative reference bureau.

SECTION 4. Duties of revisors:

They shall examine, previous to introduction, all bills and resolutions, making such corrections as may be necessary to insure accuracy in text and references, concise language, consistent with existing statutes to avoid repetitions and unconstitutional provisions. No bill nor resolution shall be acted upon by either house until corrected and endorsed by the revisors. The revisors shall give assistance to members and committees in drafting bills, resolutions, and amendments, if requested. A revisor shall not oppose or urge legislation; shall not materially alter the substance of a bill or resolution, and no one connected with the office shall communicate the substance of a bill without permission of its introducer.

SECTION 5. Provides for the work of the revisors in the intervals between sessions.

SECTION 6. Salary of legislative reference librarian:

The legislative reference librarian shall have a salary to be fixed by the governor and with the consent of the state librarian shall employ such assistants as may be necessary for the proper administration of this bureau. The sum of five thousand (\$5,000.00) dollars or such portion thereof, as may be necessary, is annually appropriated for the purpose of this act.

SECTION 7. Payment of revisors:

The revisors of bills shall receive a salary of seven dollars and fifty cents (\$7.50) per day and necessary expenses for the actual time spent and may employ necessary clerical assistance.

FREE PUBLIC LIBRARY COMMISSION

LAWS, 1908, p. 50, Act No. 52

An act relating to the state board of library commissioners.

SECTION 1. Selection:

Five residents of the state, one of whom shall be appointed annually by the governor and whose term of office shall be five years, shall constitute a state board of commissioners. The governor shall

designate the chairman and fill vacancies. (Amended changing name to free public library commission—Laws of 1912, p. 105, act 86).

SECTION 2. Advice. Report. Instruction:

The authorities of a public library may ask said board for advice in regard to library matters, and said board shall report biennially to the general assembly at the expense of the state.

To assist librarians of public libraries, said board may annually hold a school of instruction at the most convenient place. The expense of each librarian attending such school may be paid by the city, town or incorporated village in which said librarian is employed.

SECTION 3. Assistance:

Said board shall, upon application of the library trustees of a town, city or incorporated village, without a public library, expend a sum not exceeding one hundred dollars (\$100.00) for books for such town, city, or incorporated village to be selected by the library commissioners and used by the library trustees in establishing a free public library.

SECTION 4. Additional assistance:

In addition to the expenditure provided in section 3, the library commission may, in its discretion, assist free public libraries as follows:

If a town whose grand list does not exceed ten thousand (\$10,000.00) dollars, through its library trustees, satisfies the commission that its free public library is doing efficient work for the public and public schools, the board may expend additional amounts not exceeding one hundred (\$100.00) dollars for the purchase of books. The total amount expended by the library commission under this section shall not exceed fifteen hundred (\$1500.00) dollars a year. (As amended—Laws of Vermont, 1910, p. 87).

Note: Grand list is defined to mean a list including everything taxable, the polls, the real and personal property. See "Words and Phrases judicially defined."

SECTION 5. Safeguard:

If the local authorities of a public library, any part of whose books have been paid for by the state funds, fail to provide for the safety and use of such books, the library commission, knowing of this shall notify the trustees of said library to meet the requirements. If said trustees neglect this for sixty day after such notice, the books paid for with state money shall revert to the control of the library commission.

SECTION 6. Compensation, etc.:

No member of the library commission shall receive compensation. The commission may expend three thousand (\$3,000.00) dollars annually for expenses except expense of report. It may employ a secretary and fix his salary. Its bills are to be paid through the auditor of accounts. (As amended—Laws of Vermont, 1912, p. 105).

SECTION 7. Rules:

The library commission may make rules for its government and for the care of the library.

SECTION 8. Appropriations:

A town, city, or incorporated village voting to instruct its library trustees to apply for state aid under section 3, shall annually appropriate for its public library not less than fifty (\$50.00) dollars, if its grand list is ten thousand (\$10,000.00) or over; not less than twenty-five (\$25.00) dollars, if its grand list is between twenty-five hundred (\$2500.00) dollars and ten thousand (\$10,000.00) dollars; not less than fifteen (\$15.00) dollars if its grand list is less than twenty-five hundred (\$2500.00) dollars.

SECTION 9. Conditions. Trustees:

No town, city or incorporated village shall be entitled to the benefits of section 3 and section 8 unless said municipality has elected library trustees and voted to instruct such trustees to make application to the commissioners, and said trustees have provided in a manner satisfactory to the commission for the care and distribution of books. Sections 24, 25 and 26, hereof, shall apply to the election of trustees under this section and to said trustees when so elected.

SECTION 10. State aid:

When such municipality has accepted the provisions of the preceding section, the commission shall cause to be paid to them one hundred (\$100.00) dollars for the purchase of books as provided in section 3.

TRAVELING LIBRARIES

SECTION 11. Establishment:

The library commission may expend not more than fifteen hundred (\$1500.00) dollars annually for books and equipment for traveling libraries, and not more than one hundred and fifty (\$150.00) dollars annually for clerical work in preparing such books for use. (As amended—Laws of Vermont, 1912, p. 106).

SECTION 12. Rules:

Such board shall have the full management and control of traveling libraries and make the necessary rules and regulations for the use and government of same.

SECTION 13. Conditions of use:

Three or more citizens may organize a library association and on compliance with the requirements of the library commission, shall be at its discretion, entitled to the use of traveling libraries without other charge than for transportation. Local libraries, societies and schools, study circles and other associations, shall on the same terms at the discretion of the commission, have the use of the traveling libraries.

SECTION 14. Traveling libraries and schools:

The school authorities in towns may apply to the commission for traveling libraries and pay expense of transportation from the school funds of their respective towns.

ENDOWED LIBRARIES

SECTION 15. Trustees to incorporate:

Trustees to whom real or personal property is donated for the establishment of a free library, may unless otherwise provided by the donor, cause a corporation to be formed under the provisions of the three following sections:

SECTION 16. Same:

Said trustees shall file with the secretary of state a statement of intention to form a corporation, a copy of the instrument, of the name adopted for the corporation, the location, the number of trustees, and their names.

SECTION 17. Same:

The secretary of state shall forthwith issue to the incorporators a certificate of incorporation; the corporation shall cause said certificate to be recorded in the office of the clerk of the county in which such library is to be located, and hereupon shall be deemed fully organized, and may proceed to receive from the trustees the property for the library and hold same.

SECTION 18. Same:

Such organization shall be a body corporate and politic and possess the ordinary rights and incidents of a corporation. Shall be capable of taking, holding, and disposing of real and personal estate for the purposes of its organization.

The provisions of the instrument of gift shall be as to such gift a part of the organic and fundamental law of such corporation.

SECTION 19. Trustees of corporation:

Trustees of such corporation shall compose its members and shall not be more than nine nor less than five in number. Such trustees shall have control of affairs and property, may accept donations and hold the same, may fill, subject to the approval of the chief justice of the supreme court, vacancies in their own number, and make by-laws for the corporation and the library. May appoint a staff.

SECTION 20. Exemption from taxation:

Whenever the instrument providing the endowment declares that the institution shall be a free public library, such library and other property of the corporation shall be forever exempt from taxation.

PUBLIC LIBRARIES

SECTION 21. Establishment:

A town, incorporated village or city may establish and maintain a public library with or without branches and may annually contract with a library or library association to furnish books for its inhabitants free and may appropriate money therefor, and may annually appropriate money for the maintenance and increase of a library held in trust for such town, incorporated village or city.

SECTION 22. Library levy:

A town, incorporated village or city, establishing and maintaining a library may appropriate for the foundation of such library not exceeding three (\$3.00) dollars for each ratable poll in such municipality and may also appropriate annually for the maintenance and increase thereof such sum as each municipality may vote at its annual meeting, and may receive, hold and manage a gift for a public library.

SECTION 23. Trustees:

A town, incorporated village or city, which has a public library, may select at its annual meeting five trustees who shall have power to manage such library and such property as may come into the hands of such municipalities for the use of such library.

SECTION 24. Terms of office:

The first trustees chosen shall be as follows: One for one year, one for two years, one for three years, one for four years, and one for five years. The successors, at the end of their terms shall be elected for five years. Vacancies shall be filled for the unexpired terms.

SECTION 25. Report:

Trustees shall report at annual meeting of the municipality.

SECTION 26. Payments:

Monies for the library shall be paid out by an agent appointed by the selectmen of a town, or trustees of a village, or the mayor of a city unless library trustees have been elected.

SECTION 27. Union of associations:

Provides a method by which two incorporated library associations in the same town may unite.

SECTIONS 28-30. Provide for the distribution of public documents to libraries.

SECTION 31. Chapter 63 of the public statutes of 1906 is hereby repealed.

Note: The foregoing act, sections 1-30, practically re-enacts, with some amendments, Chapter 63 of the public statutes of 1906 repealed above.

LIBRARIES IN PENAL INSTITUTIONS

LAWS, 1910, p. 242

Act No. 235 amends section 6083 in regard to libraries in penal institutions.

SECTION 1. Establishment:

Section 6083 of the public statutes is hereby amended as follows: The library commission shall provide and supervise suitable libraries in penal and charitable institutions maintained by the state subject to regulation by the board of penal institutions.

The library commission may expend five hundred (\$500.00) dollars in the year 1910 and two hundred (\$200.00) dollars annually thereafter for the above purpose.

COUNTY JAILS

STATUTES, 1906

SECTION 6120. Jail library:

Jailers shall receive books given by Christian churches and benevolent individuals in their respective counties for a library for persons confined in jail. The jailers shall enter the names of the donors in the books of record, with the titles of the books, which shall be open to the inspection of all persons. The jailer shall be the librarian and shall keep safely the books in the library and distribute them to persons confined in jail and exchange same from time to time, but he shall not deliver books to a person who, in his opinion, will destroy or misuse them.

PENALTY FOR THEFT OF LIBRARY PROPERTY

LAWS, 1910, ACT No. 227

Act to prevent purloining of property.

A person who removes from any public library, any book or other property without the consent of the person in charge, shall be fined not more than fifty (\$50.00) dollars for each offense, one-half for the use of the library and the other half to the treasurer for costs for prosecution.

EXEMPTION FROM TAXATION

STATUTES, 1906

SECTION 496. The following property shall be exempt from taxation:

* * * *

VI. Real and personal estate used by private and circulating libraries open to the public and not used for profit.

* * * *

IX. Buildings owned and occupied by the Young Men's Christian Association for the purpose of its work, the income of which is entirely used for such purposes and in which such association maintains a free reading room.

VIRGINIA

STATE LIBRARY—TRAVELING LIBRARIES

CODE, 1904, Vol. 1

SECTION 247. Authorization. Bonds:

There shall be maintained at the state capitol a state library, consisting of books, records, portraits and general works, which shall be conducted as a library of reference.

The librarian shall give a bond of \$2,000; the doorkeeper, of \$500. Their salaries shall be paid from appropriations.

SECTION 248. Library funds:

All books, documents, and maps published by the state and not otherwise disposed of by law shall be sold, and the proceeds shall constitute a library fund.

SECTION 249. Donations and exchanges:

The library board shall arrange for the exchange of publications with other states and institutions. It may send its publications to libraries and societies.

SECTION 250. Donations for law schools:

The secretary of the commonwealth shall furnish schools in which a law school is established copies of certain documents.

SECTION 251. Funds:

Provides for care of library fund by the treasurer of the state.

SECTION 252. Sale of publications:

Provides methods for selling state publications.

SECTION 253. Payments from library fund:

Provides form for payment on account of state library.

SECTION 254. State library board; appointments; terms; powers. Law library. Traveling libraries:

State library shall be managed by a board of directors styled "The Library Board"; but the Supreme Court of Appeals shall have the management of the law library, which shall be kept separate from the state library.

The terms of the directors first appointed (for state library) shall be one, two, three, four and five years, respectively,—of their successors, five years.

The library board shall organize by electing a chairman. It shall appoint a librarian and doorkeeper, and may appoint assistants and cataloguers. The terms of office of these shall be at the pleasure of the board. The library board shall keep minutes of its proceed-

ings. It may acquire books, maps, records, etc., and shall cause the state records to be edited and published, as funds at its disposal may permit.

It shall make regulations for the library and see that it is properly managed.

It shall direct all expenditures.

Members of the library board shall receive no compensation, but reasonable expenses may be paid.

The library board shall report annually to the governor.

It may purchase books and equipment for traveling libraries, and traveling libraries may be loaned for a limited time to any free library or any community.

SECTION 255. Additions to library:

The library board shall annually purchase such books for the library as may seem desirable.

Records of the several departments of the state government shall by arrangement be deposited in the state library, but shall be regarded as in the custody of the officers of the several departments to which they belong.

SECTION 256. Historical works and relics:

Provides for the care of books, pamphlets, manuscripts and relics, and for the publication of records, and provides for the expense thereof.

SECTION 257. Librarian. His duties:

Librarian shall have charge of state library, giving personal attention thereto and enforcing the rules.

He shall be secretary of the library board and perform the duties belonging to that position.

SECTION 258. Hours of opening.

SECTION 259. Duties of doorkeeper:

Doorkeeper shall assist librarian in discharge of his duties.

SECTION 260. Who may use state library:

Enumerates the state officials who may use the library, and gives the library board power to extend the privilege to others.

Forbids the removal from the library of anything of special value, and limits time for return of books to two weeks.

SECTION 260 a. Protection of library property:

Provides penalties for injury or destruction of library property.

LAW LIBRARIES

SECTION 261. Law libraries:

Provides there shall be a state law library at Richmond, with branches at Wytheville and Staunton, under the management of the supreme court of appeals, which shall appoint the staff.

SECTION 262. Books for the law libraries:

Provides for the purchase of books by the supreme court of appeals, and for placing exchanges in the law libraries.

SECTION 263. Regulations of law libraries:

Authorizes the supreme court of appeals to make and enforce rules.

SECTION 264. Who may use law libraries:

Names the officials of the state who may use the law libraries, and gives the supreme court of appeals power to extend the privilege to others.

SECTION 265. Provides for the distribution of session acts and code of Virginia.

SECTION 266. Law libraries for courts and bar:

Provides that when a law library of the value of at least one hundred dollars (\$100.00) has been provided by voluntary contribution, the clerk of the circuit court of such county shall take charge of the library.

LEGISLATIVE REFERENCE BUREAU

ACTS OF GENERAL ASSEMBLY, 1914, PAGE 303, CHAPTER 194

SECTION 1. Creation:

There is hereby created a bureau to be known as a legislative reference bureau.

SECTION 2. Director:

The bureau shall be in charge of a director appointed by the governor, with the approval of the senate, without reference to party affiliations and solely on the ground of fitness to perform the duties of his office. Salary shall be two thousand, five hundred dollars (\$2,500), term five years unless removed by the governor for cause. He shall devote his entire time to the bureau; shall not be engaged in any other occupation; shall be a graduate of a law school approved by the governor, a student of political science for at least twelve months, and have had experience in drafting statute law.

SECTION 3. Staff:

Director may employ, and fix compensation of, assistants, draftsmen and clerks, who shall be selected without reference to party

affiliations, solely on the ground of fitness; compensation to be paid out of appropriations. State librarian may assign employees of the state library to assist in the legislative reference bureau during the sessions of the assembly.

SECTION 4. Rooms. Hours:

Suitable rooms shall be provided in the state library building, capitol or elsewhere in Richmond. Hours shall be 9 A. M. to 5 P. M. through the year, and during the sessions of the assembly such other hours as may be required by the presiding officers.

SECTION 5. Use of other libraries:

The director and employees shall have access to state law library and state library, with right to withdraw books, etc.

SECTION 6. Functions:

The bureau shall:

- (1) Collect and classify books, pamphlets, etc., relating to prospective or pending legislation.
- (2) Prepare catalogs, indexes, lists, digests and compilations of material.
- (3) Publish bulletins and pamphlets.
- (4) Keep on file copies of all bills, resolutions, amendments, reports, etc.
- (5) Accumulate data and statistics regarding the practical operation of statutes of this and other states.

SECTION 7. Library accessible:

All books, documents, etc., shall be at all times accessible to members of the general assembly, state and municipal officers, boards, commissioners and the public.

SECTION 8. Duties:

Upon the request of the governor or any member of the general assembly the bureau shall:

- (1) Draft or aid in drafting legislative bills, resolutions, or amendments thereof.
- (2) Advise as to the constitutionality, or legal effect, of proposed legislation.
- (3) Prepare summaries of existing law affected by proposed legislation, compilations of laws in other states or countries, and statements of the operation and effect of such laws.
- (4) Make researches and examinations as to any subject of proposed legislation.

SECTION 9. Form of procedure:

All requests for drafting of bills or resolutions shall be in writing,

shall describe purpose, shall be signed, shall be held in confidence by the bureau. Bureau shall draft bills in conformity with such requests.

SECTION 10. Printing and binding:

Printing and binding necessary for the bureau shall be done by the public printer, who shall furnish necessary stationery and supplies, all to be paid out of the general printing funds.

SECTION 11. Appropriations:

Appropriates ten thousand dollars (\$10,000) for expenses until the next biennial session,—not more than five thousand dollars (\$5,000) to be used in any one year.

PUBLIC LIBRARIES

CODE, 1904, VOL. 1

SECTION 1043 a. Establishment:

Authorizes cities and incorporated towns to establish and maintain free public libraries and reading rooms.

1. Council may establish:

The council of each incorporated city and town shall have power to establish and maintain a public library and reading room, and may levy a tax annually, not to exceed one mill on the dollar, for that purpose.

2. Appointment of library board:

When any city or town in council shall have decided to establish and maintain a public library and reading room under this act, the mayor shall, with the approval of council, appoint nine directors who are citizens; and not more than one member of council shall be at any one time a member of said board, and he shall be the chairman of the committee on finance of said council; and the city superintendent of public schools shall also be a member of said board.

3. Terms of library board:

Directors shall hold office after first appointment, one-third for one year, one-third for two years, and one-third for three years; thereafter for three years. The mayor may, with consent of the council, remove any director for misconduct or neglect.

4. Vacancies:

Vacancies shall be filled in the same manner, and no director shall receive compensation as such.

5. Organization and powers:

Directors shall organize by the election of officers; shall make rules; shall have control of finances, of construction of buildings; custody of the ground, rooms or building; provided, that all the moneys for said library shall be deposited in the city treasury and drawn upon

by the proper officers of the board. Board shall have power to purchase or lease ground, lease or erect building or buildings, appoint librarian and staff, and fix their compensation, power to remove such appointees, and in general to carry out the intent of this act.

6. Library shall be free:

Every library and reading room established under this act shall be forever free to the use of the inhabitants where located.

7. Report:

Every board shall report annually to the city or town council.

8. Penalties:

Council of said city or town shall have power to pass ordinances imposing penalties for injury to library property or failure to return books.

9. Legal designation of the board. Donations:

Board is empowered to take property, real or personal, by gift, grant or devise, and provides that any person desiring to make donations of money, personal property, or real estate, for the benefit of such library, shall have the right to vest the title to money and real estate so donated, in the board of directors by its proper official designated, created under this act, to be held and controlled by such board when accepted according to the terms of the deed, gift, devise, or bequest, of such property; and as to such property the members of said board shall be held and considered to be special trustees.

SCHOOL DISTRICT LIBRARIES

ACTS, 1914, PAGE 138, CHAPTER 82

1. Enacts that the former act approved March 14, 1908, shall be amended to read as follows:

SECTION 1. Funds:

Provides that when friends of any public free school shall give to the clerk of the district fifteen dollars (\$15) for the purchase of books, the school board shall appropriate fifteen dollars (\$15) for the same purpose, and shall appoint a manager of said library. The school board shall also appoint a competent person to select books for the libraries that may be established, from list approved by the state board of education. Provided, that no school board shall be obliged to appropriate money for more than five libraries in any one year.

SECTION 2. Method of purchase and arrangement:

This section prescribes the way in which selections and remittances shall be made, and further provides that the state board of educa-

tion shall make rules and regulations, and that the district school board shall furnish a bookcase.

SECTION 3. Rules and exchanges:

The local manager of each library shall conform to the rules prescribed by the state board of education. The local managers of two or more libraries may exchange libraries.

Note. The act of 1908 was amended in 1910 and again in 1912. Its latest form is as above.

WASHINGTON

STATE LIBRARY, STATE LIBRARY COMMISSION AND
ADVISORY BOARDREMINGTON & BALLINGER ANNOTATED CODES AND STATUTES, 1910
VOL. 2

SECTION 6952. Commission. Membership. Terms. No Compensation:

The state library commission shall consist of the governor, judges of the supreme court, and attorney general. An advisory board is likewise created which shall consist of the superintendent of public instruction, of two persons appointed by the governor on his own initiative and of two persons appointed by the governor, one being recommended by the Washington State Historical Society and one by the State Federation of Women's Clubs. This advisory board shall give advice to the library commission and its librarian, with regard to the historical branch of the state library, and the free public and traveling departments thereof. The term of members of the advisory board shall be four years. No member shall receive any salary, but actual traveling expenses while engaged in their duties shall be paid.

SECTION 6953. Duties of commission. Librarian and assistants:

The library commission shall have control of the state library; shall appoint librarian, who shall hold office at the pleasure of the commission. State librarian shall take oath to faithfully discharge his duties; give bond for two thousand (\$2,000.00) dollars; shall appoint two assistants with the consent of the library commission who shall qualify in like manner as the librarian. Commission shall adopt rules for the management of the library.

SECTION 6958. Salary of state librarian.

SECTION 6959. Duties of state librarian:

State librarian under direction of the library commission shall:

1. Assume charge of the state library; provide and arrange rooms with fittings and fixtures.
2. Purchase books, records, etc.
3. Receive and take charge of all books, etc., which may be donated to said library.
4. Provide for care and repair of the library property.
5. Receive and distribute public documents as required by law.
6. Act as secretary of the library commission and advisory board.
7. Biennially, before the meetings of the legislature, make a report to the state library commission.

8. Discharge such other duties as required by law or by the direction of the library commission.
The expenses incurred in the discharge of such duties properly audited shall be paid.

SECTION 6960. Duties and powers of commission and advisory board:

Library commission shall have absolute direction and control of the law department of the state library, its arrangement and the purchases to be made in connection therewith. Library commission, with the advice and assistance of the advisory board shall control the miscellaneous department of the state library and traveling libraries, the historical department, and shall direct purchases and receive donations, and direct its policy in all particulars.

The advisory board shall give particular attention to the state historical department and the traveling libraries and shall give advice and counsel to all free libraries in the state, and to all communities proposing to establish them, as to establishment, books, selection, cataloging, and other details.

SECTION 6961. Office and secretary:

Library commission and advisory board shall have their office at the office of the state library. Librarian shall act as secretary to the commission and to the board; shall keep record of the proceedings, accounts of financial transactions of the commission, and with the advice of the board, act in organizing and improving free public libraries and in the management of the state library or any department thereof. His expenses as secretary shall be paid as other expenses incurred by him.

SECTION 6962. Custody of public documents:

The printing board shall deliver public documents immediately to the state librarian who is declared the custodian thereof, except that the printing board shall receive one hundred copies of reports of each state officer to be arranged and bound in sets, and they shall deliver such bound sets to the state librarian.

SECTION 6963. "Public Documents" defined:

The term "public documents" shall include the supreme court reports, session laws, legislative journals, reports of state officers or commissions or boards of the state, or of any person or persons authorized by law to make such reports.

SECTION 6964. Record of public documents:

State librarian shall keep a record of all documents received and distribute the same, and shall report the distribution and the number on hand to the state printing board, and shall biennially report

to the governor in detail, shall call attention to any shortage or any waste of the surplus, and make recommendations.

The Washington state library commission shall surrender to the librarian all books or documents in its possession.

SECTIONS 6965 to 6970 inclusive, provide for the distribution of public documents by the state librarian under the direction of the commission.

STATE LAW LIBRARY

SECTION 6954. Assistant state librarian to have charge:

The assistant state librarian shall hereafter have charge of the law department of the state library and shall be entitled the state law librarian; shall hold his office by appointment of, and at the pleasure of the supreme court. (Laws of 1907).

SECTION 6955. Salary:

The salary of the state law librarian shall be twenty-four hundred (\$2400.00) dollars per annum. (Note: Session laws 1915, page 217, appropriate (\$4800.00) for salary of state law librarian).

STATE TRAVELING LIBRARY

SECTION 6956. Management:

The state traveling library, with all books and property belonging thereto, shall be under the management of a superintendent who shall be appointed by and hold office at the pleasure of the state library commission, who shall have supervision over said superintendent and the books, property and affairs of said traveling library.

SECTION 6957. Salary of superintendent:

The superintendent shall be charged with all the duties now resting upon the state librarian with reference to said traveling library. The superintendent shall be allowed a salary of twelve hundred (\$1200.00) dollars per annum and necessary traveling expenses. (Note: Session laws 1915, page 216 appropriate twenty-four hundred (\$2400.00) dollars for salary of superintendent.)

PUBLIC LIBRARIES AND MUSEUMS

SECTION 6971. Establishment:

By a majority vote at any election any city, village, town, school district or other body authorized to levy and collect taxes, or by a vote of its common council any city or incorporated town, may establish and maintain a free public library, with or without branches, either by itself or in connection with any other body authorized to maintain such library. Whenever twenty-five tax payers shall petition, the question of providing library facilities shall

be voted on at the next election or meeting at which taxes may be voted; provided, that due public notice shall have been given of the proposed action. (As amended, Laws, 1915, Chapter 12).

(Verbatim)

SECTION 6972. Public aid to circulating libraries:

By a similar vote money may be granted toward the support of libraries not owned by the public, but maintained for its welfare and free use; provided, that such libraries shall be subject to the inspection of the state library commission and registered by it as maintaining a proper standard; that the commission shall certify what number of books circulated are of such character as to merit a grant of public money, and that the amount granted yearly shall not exceed ten cents for each volume thus certified.

SECTION 6973. Annual appropriations:

Taxes may be voted by any authority named in Section 6971 for any purpose specified in Sections 6971 and 6972, and shall unless otherwise voted, be considered as annual appropriations therefor until changed by further vote; and shall be levied and collected yearly or as directed, and all money from taxes or other sources for such library shall be kept as separate library fund, expended only under the direction of library trustees. Every free library shall be maintained and managed as provided in this chapter.

SECTION 6974. Trustees, qualifications, etc.:

The control and management of free libraries shall be vested in a board of five trustees, unless a larger number be voted, who shall be elected by the legal voters except that in cities and incorporated towns, they shall be appointed by the mayor with the consent of the council. No person shall be ineligible by reason of sex and no trustees as such, shall ever receive any compensation. The first trustees shall determine by lot, whose term of office shall expire each year and a new trustee shall be elected annually to serve for five years, except when the board consists of more than five members. Each trustee shall serve for a term of years corresponding to the number of regular members on the board in order that one term shall expire each year. All vacancies shall be filled in like manner and any unexpired term for the residue of the term. (As amended, Laws, 1915, Chapter 12).

(Note: A note in the library laws of the state of Washington issued by the state librarian says library trustees in cities of the fourth class must be elected. Opinion of the attorney general, June 6, 1914).

SECTION 6975. Officers of board. Powers and duties of librarian: Trustees shall organize by the election of one of their number president and the election of such other officers as they may deem neces-

sary. They shall adopt laws and regulations for their own guidance and for the government of the library. They shall have supervision, care and custody of all library property and the expenditure of all moneys collected for the library fund. They may accept and receive gifts of money, real estate, books or other property for library purposes. They may lease and occupy, purchase or erect buildings for library purposes. They shall have power to appoint a chief librarian who shall be subject to removal by the board. They shall adopt a system of competition or examination under which all appointments except that of chief librarian shall be made and under such system the chief librarian shall have power, with the consent of the board, to appoint all subordinate employes, prescribe rules for their conduct and remove them from office. So far as possible all appointments shall be made for ascertained fitness for the work and removal shall be made for demonstrated unfitness and neither appointments nor removals shall be made because of candidates' race, color, political influence or religious belief. Trustees shall have the power to do all acts and things necessary to the management, custody and control of the library.

SECTION 6976. Annual report:

Trustees shall make an annual report at the close of each year to the city council or the proper body authorized to levy and collect taxes, stating the condition of their trust, an account of money received and expended, the work of the year, together with their estimate of the income necessary for the proper maintenance for the ensuing year: provided that nothing in this chapter shall be construed as empowering the board of trustees to incur any indebtedness except as there is sufficient money in the library fund and applicable to the payment thereof.

SECTION 6977. Registration necessary:

In order to avail the library of any provision of this chapter for state aid, the board of trustees shall apply to the state library commission to have the institution registered by the commission as a library under its visitation and supervision. (Verbatim)

SECTION 6978. Annual report:

Every library which receives state aid shall make to the commission an annual report verified by the oath of its presiding officer, giving information prescribed by the commission. These reports shall be summarized and transmitted to the governor.

SECTION 6979. Libraries to be free:

Every library established or maintained under this chapter shall be forever free for the use of the inhabitants of the city, town, village or district where located, subject to such reasonable rules and regulations as trustees may find necessary.

SECTION 6980. Use of library by non-residents:

The board of trustees of any free library may under such regulations as it may deem necessary and upon the conditions agreed upon, allow non-residents of the city, town, village or district in which the library is situated to use the books therein, and may make exchanges of books with any other public library and any such board may contract with the commissioners of the county in which the library is situated or with the commissioners, trustees or council of any neighboring county, village or city, to loan the books of said library to the residents of such county, village, town or city upon terms agreed upon and every such board of trustees, board of county commissioners or village trustees, town or city council, is hereby empowered to make contracts for such purpose and to pay consideration agreed upon therein to the board of trustees of such library.

SECTION 6981. Mutilation. Penalty:

Whoever intentionally injures or destroys any property belonging to, or deposited in any public library, reading room, museum or other institution shall be punished by imprisonment in the penitentiary for not more than three years or in the county jail for not more than one year, or by a fine of not more than five hundred (\$500.00) dollars, or by both such fine and imprisonment.

(Note: Remington & Ballinger Code, Section 2656 makes it a misdemeanor to wilfully or maliciously remove, damage or destroy any work of literature or art, or other objects specified in any library or other institution named).

SECTION 6982. Keeping books overtime:

Provides that any one detaining library property thirty days after due notice in writing to return the same has been given after the expiration of the time, which by the rules of the institution it might be kept, shall be punished by a fine of not less than one or more than twenty-five (\$25.00) dollars or by imprisonment in jail not exceeding six months. Provides that notice shall bear on its face a copy of this section.

SECTION 6983. Transformation to public library:

Any corporation, association, school district or combination of districts, may by legal vote, approved by the library commission, transfer the ownership and control of its library with all its property, to any public library under the supervision of the commission and thereafter said public library shall be entitled to receive any money or other property from the state or other sources to which said corporation, association or district would have been entitled and the trustees or body making the transfer shall be relieved of all responsibility for the property transferred.

SECTION 6984. State supervision:

If the local authorities of any library, supported wholly or in part by state money, fail to provide for the safety and public usefulness of its books, the state library commission, shall in writing notify the trustees of said library of what is necessary to meet the state's requirements, and on such notice all its rights to further grants of money or books from the state shall be suspended until the commission certifies that the requirements have been made and if said trustees shall refuse or neglect to comply with such requirements for sixty days after the service of such notice, the commission may remove them from office, and thereafter all books and other library property, wholly or in part paid for from state money shall be under the full and direct control of the commission, which as shall seem best for the public interest may appoint new trustees to carry on the library or may store it or may distribute to other libraries the books paid for with the state money.

SECTION 6985. State to loan books:

Under such rules as it may prescribe the state library commission may loan books to any public library or to any community not yet having established such library, but having conformed to the conditions required by such loan; all the official publications of the state shall be furnished free to every public library.

SECTION 6986. Advice from the state commission:

Trustees of a library or any citizen interested in any public library in the state, shall be entitled to ask and receive from the state library commission, advice as to library building, equipment, organization and administration. Commission may provide such advice personally or through printed matter and correspondence. Commission may on request select and buy books or furnish money instead of books. Such assistance shall be free to residents of the state, but the commission may charge a fee to non-residents or for assistance of a personal nature.

SECTION 6987. Disposition of funds:

Commission may use receipts from all sources for buying books or for other proper expense.

SECTION 6988. State aid:

Such sums as shall have been appropriated by the legislature as a fund for public library aid shall be paid annually according to an apportionment made for the benefit of deserving libraries by the commission; provided, that this money shall not be spent for any books except those approved by the commission; that no locality shall share in the apportionment unless it shall raise an equal amount from taxation or other local sources; that the expenditure shall be properly vouched for by the commission; that books paid

for by the state shall be subject to return whenever the library shall neglect to conform to the regulations.

SECTION 6989. Abolition by vote:

Any library established under this chapter may be abolished only by a majority vote at an annual election ratified by a majority vote at the next annual election. If any library be abolished, this property shall be next used, first to return to the commission for the benefit of other libraries in that locality, the equivalent of such sums as it may have received from the state or other sources as gifts. After such return any remaining property may be used as directed in the vote abolishing the library. When transferred the trustees shall be freed from further responsibility. No abolition of a public library shall be lawful until the commission grants a certificate that its assets have been properly transferred and its abolition completed in accordance with law.

SECTION 6990. Gifts. Title:

All persons desirous of making gifts of money, personal property or real estate for the benefit of a public library, shall have the right to vest the title thereto in the board of trustees, to be held and controlled by the board when accepted according to the terms of the deed, gift, devise or bequest.

SECTION 6991. Museums. Construction of word "library":

All provisions of this chapter shall apply equally to libraries and to combined libraries and museums, and the word library shall be construed to include reference and circulating libraries and reading-rooms. (Verbatim)

LAWS, 1915, PAGE 655, CHAPTER 184

SECTION 14. The city council of such city shall have power * * *

(c) to establish and maintain a free public library; * * *

SCHOOL LIBRARIES

REMINGTON & BALLINGER ANNOTATED CODES AND STATUTES, 1910,
Vol. 2

SECTION 4592. Establishment:

The county superintendent of each county of this state may establish a circulating library for the use and benefit of the pupils of the common schools of such county. (Verbatim)

SECTION 4593. Library fund:

County commissioners may levy a tax sufficient to carry into effect

the provisions of Section 4592. Provided, that said tax shall not exceed one-tenth of one mill on the dollar.

SECTION 4594. Payment of bills:

County commissioners shall not allow bills to be paid until certified by the county superintendent.

SECTION 4595. Purchases:

County superintendent shall purchase no books or fixtures until there is sufficient money to credit of the funds to pay the bills.

SECTION 4596. Approval of books:

No books shall be placed in the county library, unless recommended by the state board of education or the superintendent of public instruction.

SECTION 4597. Supervision:

The county superintendent shall purchase the books and enforce the regulations.

WEST VIRGINIA

STATE (LAW) LIBRARY

CODE, 1913, VOL. 1

SECTION 390. Appointment. Salary. Term. Bond:

There shall be a state librarian appointed by the governor, whose term shall commence and end with that of the governor. He shall give bond.

SECTION 391. Powers. Duties. Liabilities:

The state librarian shall have charge of the state library, and be governed by the following rules:

First. Library shall be open to officers and members of the government named, for certain hours prescribed. No other person than those specified shall be permitted to remove any book or paper.

Second. No book or paper shall be taken from the library unless a signed receipt is given.

Third. Other persons than those prescribed may be permitted to use the library at the place where it is kept.

Fourth. It shall be the duty of the librarian in his annual report to give the names of those who have obtained books and have not returned them, and the titles of the books not returned.

Fifth. Librarian shall arrange books in proper and convenient order, and shall preserve the same from molding and from moths. He shall also keep a catalogue of the books of the library, and shall add thereto all books purchased or received, and erase therefrom all books lost or destroyed.

Sixth. Librarian shall collect and preserve copies of public documents of the United States and of the other states.

Seventh. Librarian shall have power to appoint an assistant whenever he is absent on official duty.

Eighth. He may, with the consent of the governor, secretary of state and attorney general, make necessary alterations in the library rooms, and appropriate additional room.

Ninth. Any person who shall remove a book or paper, and shall fail to return it upon demand, shall be liable for five times the value thereof, recoverable by an action.

Tenth. Provides that the librarian shall have charge of the supreme court reports, and provide for their distribution and exchange for other documents. Shall report annually to the governor, all transactions under this section.

Eleventh. Librarian may exchange or sell documents not wanted, and keep a record of such exchange or sale.

Twelfth. If the librarian shall appropriate to his own use, or dis-

pose of any books in the state library, he shall be deemed guilty of a misdemeanor and fined not less than five dollars (\$5.00) and not more than one thousand dollars, (\$1,000.00) and forfeit his office. Thirteenth. All necessary expenses incurred by the librarian, not to exceed the sum of five hundred dollars (\$500.00) annually, shall be paid out of the state treasury.

STATE LAW LIBRARY

SECTION 392. Law librarian. Appointment. Duties:

The county court of Jefferson County is authorized and directed to appoint a competent person librarian of the state law library at Charleston, and to make regulations therefor.

SECTION 393. Same. Bond. Salary:

Librarian shall give bond for five hundred dollars (\$500.00). Provides for salary.

STATE BUREAU OF ARCHIVES AND HISTORY

SECTION 394. Establishment. Powers. Duties:

Provides for the establishment of a state bureau of archives and history, which shall contain the archives of the state and public records, books, pamphlets, reports, etc., on history, biography and kindred subjects of West Virginia. Provides for the establishment of a museum in connection with such bureau.

SECTION 395. Same:

Provides that the bureau shall occupy rooms in the state capitol, or in an annex thereto.

SECTION 396. Provides for the appointment of a state historian and archivist for a term of four years.

SECTION 397. State publications to be exchanged with other states.

SECTION 398. Appropriation.

PUBLIC LIBRARIES

LAWS, 1915, PAGE 391, CHAPTER 64

An act authorizing incorporated cities and towns, and also counties and school districts, to levy taxes for the purpose of establishing public libraries and reading rooms.

SECTION 1. Explanation of terms:

The following words and phrases, wherever used in this act shall include and be taken to mean as follows: The word "municipality" shall include an incorporated city, a town, a county and a school

district; "municipal authority" shall include the mayor and common council of a city, a town, or board of commissioners, or other corresponding authority thereof, county courts and boards of education of school districts and independent school districts; "public library" shall include public library and reading room; "chief executive authority" shall include mayor and city council or other corresponding authority in cities and towns and the county court and board of education in counties and school districts; "the directors of public library" shall include the members of public library boards of cities, towns, counties and school districts established under this act.

(Verbatim)

SECTION 2. Establishment:

The municipal authority of any municipality shall have the power to establish, equip and maintain a public library, or take over and maintain and support any public library already established therein for the use and benefit of the inhabitants of such municipality; and may levy an annual tax for the purpose, of not more than one and one-half cents on the one hundred dollars, on all the taxable property in said municipality, such tax to be levied and collected in like manner as the general taxes of the municipality, which shall be kept separate in a fund to be known as the "library fund"; *provided*, that when any municipality makes a levy for a municipality in which there is already a municipal library, and the said municipality does not join in the proposed library, the said municipality shall omit from the levy of the library tax all property within the limits of said municipality not joining in said proposed library; *provided, further*, that before establishing any public library, or levying any tax therefor, the municipal authority shall submit the question to the voters of such municipality, and the majority of the voters voting thereon shall authorize the establishment of such library, and the levy of such tax. The question shall be submitted at a general or special election, upon the order of said municipal authority or upon the petition, in case said municipal authority fail or refuse to do so, in writing, of twenty per centum of the qualified voters resident of the municipality; and the election, when ordered, shall be conducted, held and returned in all respects as other elections; and the ballot used shall have written or printed thereon under the heading "Public Library Question" the words, in plain letters, "For Public Library"; "Against Public Library." And the municipal authority of said municipality shall give at least two weeks notice of said election by publishing notice thereof in one or more newspapers published in said municipality; or, if none are therein published, by like notice posted for a like period at each of the voting places in said municipality, and at five other public places for a like period, before said election, giving the date and object of the election.

(Verbatim)

SECTION 3. Directors:

Whenever such public library is established under this act, the chief executive authority of said municipality shall appoint a board of six directors, chosen from the citizens at large from said municipality, with reference to their fitness for such office. Such directors shall hold office for three years from the first day of July following their appointment, and until their successors are appointed; but upon their first appointment they shall, at their first meeting, divide themselves into three classes, so that one-third of the number shall hold office for a period of one year, one-third for two years, and one-third for three years. No person shall be ineligible to serve on said board by reason of sex. Vacancies in the board shall be reported to the municipal authorities, and filled by appointment in like manner as original appointments for the unexpired term. The municipal authorities may remove any director for misconduct or neglect of duty. No compensation shall be paid or allowed any director. The chief school officer of each municipality establishing a public library shall be ex-officio a member of its library board in addition to the six directors provided for herein. (Verbatim)

SECTION 4. Directors. Organization. Powers:

The directors of each public library established under this act shall, immediately after their appointment, meet and organize by electing one of their number as president, and one as secretary. A majority of all the members of any board shall constitute a quorum for the transaction of business. They shall make and adopt such by-laws, rules and regulations for their own guidance and for the government of the library as may be expedient and not inconsistent with this act. They shall have exclusive control of the expenditures of all the money collected for the library fund and for the construction of any library building or repairs thereto, and the supervision, care and custody of the grounds, rooms or building constructed, leased or set apart for the purpose; provided, that all money received for public library purposes, and deposited in the treasury of such municipality to the credit of the library fund, shall be drawn by the proper municipal officers upon the proper authenticated vouchers of the library board. Public library boards may, with the approval of the municipal authority, lease and occupy or purchase or erect an appropriate building for the use of said library. They shall have power to appoint a suitable librarian and assistants, and prescribe rules for their conduct, and fix their compensation; and shall have power to remove such appointee, and, in general, carry out the spirit and intention of this act in establishing and maintaining free public libraries for their respective municipalities.

SECTION 5. Who may use libraries:

Each library established under this act shall be free for the use of

the inhabitants of the municipality where located, subject to such reasonable rules and regulations as the library board may adopt and publish, in order to render the use of said library of greatest benefit to the greatest number; and said board may exclude from the use of said library any and all persons who shall wilfully violate such rules. The board may extend the privilege and use of said library to non-residents of the municipality upon such terms and conditions as said board may prescribe.

SECTION 6. Report:

Each library board shall, on or before the first day of July in each year, make report to the municipal authority appointing it, stating the condition of the library property, the various sums of money received from the library fund, and all other sources, and how such money was expended; the number of books and periodicals on hand, the number added by purchase and gift, the number lost or mislaid, the number of books loaned out and the general character of such books, together with an itemized budget estimate of expense of the library for the ensuing year, with such other statistical information and suggestions as they may deem of general interest or that may be required by said municipality.

SECTION 7. Donations:

All persons desiring to make donations of cash or other personal property or real estate for the benefit of such library, shall have the right to vest the title thereof in the library board created under this act, to be held in trust and controlled by such board according to the terms and for the purposes set out in the deed, gift, devise or bequest.

SECTION 8. Penalty for injuring property:

Any one who shall wilfully deface or injure any building or furniture, or deface, injure or destroy any picture, plate, engraving, map, newspaper, magazine or book, or any object of art belonging to a public library, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine of not less than five dollars or more than fifty dollars, or by imprisonment not exceeding six months. The fine in each case shall be paid to the proper officer or custodian of the library fund to be used by such library as other money paid into its treasury.

SECTION 9. Detention of books, etc.:

Any person who shall wilfully detain any book, newspaper, magazine, pamphlet or manuscript belonging to such library, or to any incorporated library, for thirty days after notice in writing from the librarian, after the expiration of the time such books, newspaper, magazine, pamphlet or manuscript may be kept according

to the rules and regulations of said library, shall be liable for damages, to be recovered by said library board, by appropriate proceedings before a justice of the peace; the recovery in each case to be paid to the proper officer or custodian of its funds; *provided*, that the notice required hereby shall include a copy of this section.

SCHOOL LIBRARIES

CODE, 1913, V. 1

SECTION 2076. Purchase of books:

Board of education of any district may purchase books for school libraries. Not more than ten dollars (\$10) may be expended in any one year for this purpose in any school, and books must be selected from list recommended by the state superintendent of schools.

SECTION 2077. School librarian:

Trustees of any district where a school library exists of two hundred volumes may, upon petition of one-half its taxpayers, employ a responsible person to care for such school library.

LIBRARY ASSOCIATIONS

CODE, 1913, V. 2

SECTIONS 3196-3204. Provide for the incorporation of voluntary associations for various purposes, enumerating among these library associations.

WISCONSIN
STATE (LAW) LIBRARY
STATUTES, 1913

SECTION 367. Trustees:

Justices of supreme court and attorney general shall be ex-officio trustees and shall have full control of the library and make suitable rules for its use.

SECTION 368. State law librarian:

Board of trustees shall appoint a librarian, who shall give bond and prescribe his duties. Shall appoint staff.

SECTION 369. Rules and regulations:

1. The library shall be open every day during sessions of the supreme court and the legislature, except Sundays and on such other days as they may direct.
2. Books may be borrowed by any state officer, member of the legislature or judge.
3. Attorneys and others shall be permitted to use, under proper restrictions, books within the library.
4. Imposes fines and forfeitures for violation of rules.

SECTION 370. Catalog:

Trustees may direct a catalog to be printed.

SECTION 371. Provides for the purchase of law and other books.

SECTION 372. Duties of librarian:

To give his personal attention to the library; to keep an account of all books added or removed; to keep a catalog of the library; to keep a record of books issued; to secure the return of books drawn by members of the legislature; to collect penalties incurred by violation of the rules; to transmit public documents mentioned to the Library of Congress and to other states and territories; to exchange publications with foreign government; to perform all other duties prescribed by the trustees or by the law; to cause to be installed, in the most scientific and approved method a card-index and catalog of the books and material; to attend an annual conference of the American Society of Law Libraries, for the purpose of studying modern methods of library administration; to sell or exchange duplicates, subject to the approval of the trustees.

SECTION 373. Provides for the deposit and distribution of United States documents.

STATUTES, 1913

SECTION 172-8, as amended, Laws, 1915, chapter 558. Appropriations:

Sub-section 1 appropriates annually, beginning July 1915, \$7,125 for the work of the State library.

Sub-section 2 appropriates annually, beginning July 1915, \$3,000 to carry into effect the provisions of section 371, of Statutes, 1913, (purchase of books).

STATE HISTORICAL SOCIETY

STATUTES, 1913

SECTION 374. Powers. Executive committee. Real estate:

The State Historical Society, organized under act of 1853, shall continue to possess the powers and privileges thereby conferred, subject to the limitations of this chapter and such laws as shall hereafter be enacted. The Society shall be the trustee of the State, and as such shall hold all the property of the Society. There shall be an executive committee, of which the governor and the secretary of the state treasury shall be ex-officio members. The Society may sell and convey real estate.

SECTION 376. Duties:

It shall be the duty of said society to collect books, maps and other material illustrative of the history of this state and of the West; to procure narratives from early pioneers; to procure facts relative to her Indian tribes; to purchase books for the various departments in its collection; to bind books and other material and catalog the collections; to report biennially, for publication; to keep its rooms open at all reasonable hours.

LOCAL HISTORICAL SOCIETIES

SECTIONS 376 a-376 e. Give authority and functions of local historical societies.

STATUTES, 1913

SECTION 172-28, as amended, Laws, 1915, chapter 485. Appropriations:

Sub-section 1 appropriates annually, beginning July 1915, \$50,000 for the work of the State Historical Society.

Sub-section 2 appropriates \$8,195 for the payment of indebtedness incurred prior to July 1, 1915.

Sub-section 3 appropriates, July 1, 1915, \$780, July 1, 1916, \$780, for property repairs and maintenance.

Sub-section 4 appropriates July 1, 1915, \$8,200, July 1, 1916, \$8,200,

for the purchase of library books, furniture and furnishings and other permanent property and improvements.

FREE LIBRARY COMMISSION

SECTION 373 a. 1. Commission. Secretary:

The governor shall appoint two persons for the terms of five years each, who, with the president of the university, the state superintendent and the secretary of the State Historical Society, shall constitute a free library commission. Vacancies shall be filled by the governor. The officers of the commission shall be a chairman, elected from the members thereof for one year, and a secretary not of its own number, appointed by the commission to serve at the will of the commission, under such conditions and for such compensation as to it shall seem adequate. The secretary shall keep a record of the proceedings of the commission and accounts of its financial transactions; have charge of its work of organizing and improving libraries, and in general perform such duties as may from time to time be assigned him by said commission. In addition to his salary, he shall be allowed his actual and necessary traveling expenses while absent from his office upon the service of the commission. Commission may also engage such other assistants as shall be requisite to the performance of its work.

(SUPERVISION OF PUBLIC LIBRARIES)

2. Advice and aid:

Commission shall give advice to all free libraries and to all communities which may propose to establish them, as to their establishment and administration, the selection and cataloging of books and library management, and may send any of its members to aid in organizing and improving libraries.

(TRAVELING LIBRARIES)

3. Duties:

Commission shall establish a department of traveling libraries in charge of an officer specially qualified; shall purchase books, etc., and accept gifts for traveling libraries. Said department of traveling libraries shall also aid in establishing and supervising a county system of traveling libraries. Commission may cooperate with other state library commissions and libraries in the publication of documents, in order to secure a more economical administration; shall report biennially to the governor. No commissioner shall be compensated for his services, but actual traveling expenses in the service of the commission may be allowed.

(LIBRARY SCHOOL)

4. Library school. Other duties. Purposes:

Library commission is empowered to conduct a school of library science and to hold librarians' institutes in various parts of the state; is authorized to accept, arrange and circulate books, traveling libraries and pictures to be loaned to libraries and other clubs, communities, institutions and individuals; shall bind periodicals for traveling libraries, encourage study clubs, train librarians to be better educators, aid more efficiently in the proper organization of new libraries and aid in building up a better system of proper education for people who have finished their education in the schools.

SECTION 373 am. 1. Library school connected with university:

The school of library science created by section 373 a shall hereafter be known as the school of library science of the university.

(Verbatim)

2. University to aid school:

The regents are hereby authorized to cooperate with the commission in the maintenance of the library school, and to aid the school by appropriating, out of the funds of the university, such sums as will aid in specialized teaching and equipment for said school, and otherwise to aid said school in such manner as will conduce to the development of said school and of library science in the state.

SECTION 373 b. Office. Printing, etc.:

The commission shall be allowed the use of suitable office and equipment in the capitol. The secretary of state shall audit its bills. The state printer shall print for it.

SECTION 373 c. Lists of public documents:

The commission shall make check-lists of public documents; shall assist state officers and other citizens in studying institutions of the state; shall assist public libraries to complete and arrange files of state publications; shall prepare and print catalog-cards of public documents for public libraries and the various departments of the state.

SECTION 373 d. Documents:

The state printer shall deliver to the commission three copies of each public document printed.

SECTION 373 e. Depositories of public documents:

Library commission shall ascertain what libraries in the state having more than one thousand volumes can care for and use to advantage public documents, and report same to the superintendent of public printing; shall designate such libraries as depositories and report lists of such depositories to the state superintendent of public prop-

erty, who shall cause copies of public documents to be furnished to such depositary libraries.

(LEGISLATIVE REFERENCE LIBRARY)

SECTION 373 f. 1. The said commission is also authorized and directed to maintain in the state capitol, for the use and information of the legislature, the several state departments, and such other citizens as may desire to consult the same, a legislative reference room and a small working library, as complete as may be, of the several public documents of this and other states, and to purchase for said library standard works of use and reference. The said commission may also collect, summarize and index information of a legislative nature relating to legislation of foreign countries, of states of this country, the federal government and municipalities. The said commission may also make such investigations into statute law, legislative and governmental institutions, as will aid the legislature in performing its duties in the most efficient and economical manner. The said commission is also hereby authorized and directed to cooperate, during sessions of the legislature, with the secretary and superintendent of the State Historical Society of Wisconsin, as trustee of the state, with a view to a joint arrangement by which the needs of the legislature in the matter of general books of reference may be met to the fullest possible extent; the said commission shall give such space within its rooms to books brought to the capitol by said society for such purpose, as may be jointly agreed upon between them. The librarian of the said library and the officers of state departments are hereby authorized to give or loan to the free library commission, for the use of the legislative reference rooms, such books and documents as will be useful in that room. The said free library commission is also authorized to give or loan to the State Historical Society or to the state departments, any books and documents except those in current use in the legislative reference room.

2. The free library commission shall employ, during each legislative session and the two months next preceding each session, draftsmen and such help as may be necessary for the drafting of bills.

STATUTES, 1913

SECTION 172-23. Appropriations:

1. There is annually appropriated, beginning July 1, 1915, \$29,000 for the functions of the commission other than the work of the Legislative reference library.
2. There is annually appropriated, beginning July 1, 1915, \$3,000 for the purchase of books, traveling cases and other appurtenances.

3. This act shall take effect as of July 1, 1915.

(Note: Sub-sections 1, 2 and 3 are given as amended, Laws, 1915, chapter 481).

4. All monies received on account of Free public library commission shall be deposited in the general fund of the State treasury and appropriated for carrying on the work of the commission other than the work of the Legislative reference library.

5. There is annually appropriated, beginning July 1, 1913, \$21,800 to carry on the work of the Legislative reference department of the Free library commission.

COUNTY LIBRARIES

STATUTES, 1913

SECTION 697-11. Board of Libraries:

County supervisors may establish a board of libraries, elect five directors thereof, of either sex, for three years, except the first year, when two shall be elected for one year, two for two years and one for three years. No compensation or expenses whatever shall be allowed to directors.

SECTION 697-12. County traveling libraries:

1. Directors shall elect from their number a president, vice-president, secretary and such other officers as they may deem necessary. They may make rules for their own guidance and that of the county traveling libraries or such permanent libraries as may be established under Section 697-17. They shall control the expenditures of all moneys appropriated, or property or money donated, for county traveling or permanent libraries, and the establishment and control of such libraries. They shall not pay any sums whatever for keeping care, transporting or librarian service of such county traveling libraries. They shall have exclusive charge and control of all lands, buildings, moneys or property devised or bequeathed or given to any county for libraries.

2. Supervising librarian shall report annually to the board of supervisors: (1) the number of volumes in the libraries, (2) stations supplied during the year, (3) expenses incurred, (4) number of books during the year, and (5) such other information in regard to libraries as the board of supervisors may direct.

SECTION 697-13. Librarian. Duties. Salary:

Said board of libraries may appoint a supervising librarian for such county libraries at a salary not to exceed fifty dollars (\$50) per annum, whose duty shall be to arrange and repair the books, keep records, instruct libraries or traveling libraries, and to perform other duties as directed. Such librarian shall be a resident of

the county, of either sex, and may be permitted necessary traveling expenses not to exceed seventy-five dollars (\$75).

SECTION 697-14. Books:

Board shall purchase suitable books, arrange them in cases, distribute such cases to as many districts equally distant from each other as their means will permit, with the object in view of finally serving libraries within reasonable easy reach of people in the county. Libraries shall be located in suitable places and not permitted to remain in one location longer than six months, except that such time may be extended, not to exceed thirty days, upon application of five cardholders.

SECTION 697-15. Maintenance:

Any county may appropriate, the first year not to exceed five hundred dollars, and thereafter not to exceed two hundred dollars, for the establishment and maintenance of traveling libraries.

SECTION 697-16. Advice:

The Wisconsin Free Library Commission may advise any board of libraries as far as practicable on the conduct of its work.
(Verbatim)

SECTION 697-17. Agreement in regard to gifts:

Any county may receive by devise, bequest or gifts, lands, buildings, money, books or other property for the purpose of establishing a public library for the county, and may enter into an agreement to maintain a public library in consideration thereof, and shall be bound to faithfully perform such agreement. In such case, the said board of libraries has full power to properly administer the same.
(Verbatim)

CLASSIFICATION OF CITIES

STATUTES, 1913

SECTION 925-1. For the exercise of the corporate powers herein mentioned, the cities of this state shall be divided into classes as follows:

First-class, cities containing a population of one hundred and fifty thousand or more; second class, cities containing a population of forty thousand or over and under one hundred and fifty thousand; third class, those containing ten thousand or over and under forty thousand; fourth-class, less than ten thousand. Any city incorporated hereunder shall pass from one class to another when it has sufficient population and when its common council shall by ordinance or resolution make publication thereof and make proper provision for such change in city government. Cities under special charters shall be divided into like classes determined in the same manner.

PUBLIC LIBRARIES

LAWS, 1911, PAGE 116, CHAPTER 109

SECTION 1. Maintenance of public libraries in cities of the first class:

In cities in the state which have a population of 150,000 or more, and are therefore authorized to maintain a public library, the common council may levy and collect a tax, not exceeding two hundred and sixty-four thousandths of a mill, proceeds of such tax to be used only for the maintenance and increase of the public library and necessary expenses connected therewith. Trustees shall erect, purchase or lease buildings, lots or rooms, and furniture; all lots or buildings purchased or erected shall be conveyed to the city.

STATUTES, 1913

SECTION 931. Establishment and maintenance in cities of second, third, fourth classes:

The common council of every city of the second, third or fourth class, the trustees of every village and the board of every town, may establish, equip and maintain a public library and reading room, or maintain one already established, and may annually levy and collect a tax upon the taxable property of such city, village or town, to provide a library fund; provided, that in lieu of maintaining such public library, the council of every city of the classes named having a board of education may levy such tax and authorize the board of education to expend the same in aid of the maintenance of any secular or non-sectarian public library free to all inhabitants of such city already established and maintained therein by any society, association or corporation.

SECTION 931 a. Annual tax for library in case of gift:

If a gift be offered to any city, village or town for a public library or a library building, in consideration thereof, such city, village or town may obligate itself, by an ordinance adopted by a two-thirds vote, to levy and collect an annual tax for the support and maintenance of such library or building not to exceed fifteen per cent of such gift; and if such gift be accepted, such obligation shall not be repealed. Such ordinance shall be subject to the referendum provided for in section 39-J. In the case of any such gift for a library building, the library board of directors of such city, village or town shall have the exclusive right to select and contract for the purchase of a site therefor at a cost of not to exceed one-third of such gift. Such board of directors shall report forthwith to such city council, village or town board, the amount required to pay for such site; and the council, village or town board shall thereupon, by resolution, include such sum in the next succeeding annual tax levy or provide for an issue of bonds in the required amount.

(Verbatim)

(Note: No ordinance or resolution passed by the council of any city, except such cities as are organized under sections 925m-301 through 925m-317 inclusive shall go into effect within twenty days from the time of its passage, except such as are declared emergency orders by a two-thirds vote of the council.)

SECTION 39-j. Provides that if, within twenty days after the passage and publication of any ordinance or resolution, a petition signed by qualified electors of the city or county, equal to at least twenty percent of the votes cast for governor at the last regular election, shall be filed with the city or county clerk, praying that the operation of such ordinance or resolution be suspended, it shall be suspended until the next meeting of the council or board, and that at that time it shall be either repealed or submitted to the electors of the city or county at the next general or special election; if approved at such election by a majority of the electors voting thereon, it shall take effect twenty days from the date of election.

SECTIONS 925m-301 to 925m-317. Provide for the commission form of government.

SECTION 931 b. Library site. Gifts:

Whenever said board of directors shall certify to the city council, village or town board that it is unable to acquire the site selected for a just and reasonable price, said city council, village or town board shall proceed to acquire the site by condemnation in the manner provided by law. Should the compensation awarded in the condemnation proceedings exceed one-third of such gift, such proceedings shall nevertheless be valid if within sixty days such excess be provided by private donation or otherwise. In case it is not so provided, proceedings shall upon motion be dismissed without cost.

SECTION 932. Constitution of library board:

1. For the government of such library in each city of the second and third class, there shall be a board of nine directors appointed by the mayor, with the approval of the council; and in each city of the fourth class, village or town, a board of six directors appointed in like manner. Not more than one member of the council, village or town board shall at any one time be a director. Directors shall hold office for three years, except that after the first election, they shall divide themselves by lot into three classes, holding office for one, two and three years respectively. No compensation shall be paid or allowed any director.

2. In any city or village which has established or may establish a free library under the provisions of Section 931, the city superintendent of schools or the supervising principal of schools shall be ex-officio member of the board of directors of such library.

(Verbatim)

3. In any city of the fourth class, village or town having a library with a board of nine directors, upon request of such board the mayor, president or chairman shall omit to make appointments to the board to fill vacancies until the number of members, including the ex-officio member, is reduced to six, and thereafter the board shall include no more than six appointed members.

4. In cities in which a library and reading room shall hereafter be established, the library board shall consist of five members, one of whom shall be the mayor, or a member selected by the council. Another shall be the city superintendent of schools. Three other members shall be selected by the common council to serve for one, two and three years respectively; their successors to serve for three years.

5. In any city having a public library board with more than five members, the council may, by two-thirds vote, reconstitute the board as in sub-section 4. Upon the adoption of such plan, the terms of office of the members of such former library board shall be deemed to have expired and the library board, as formerly constituted, shall cease to exist.

SECTION 932 a. Library boards in villages and towns. Traveling libraries. Transfer:

The trustees of any village or the board of any town may elect to have a library board of three members, appointed by the president of the village or chairman of the town, with the approval of their respective boards. Those first appointed shall hold office respectively for one, two and three years, their successors for three years. Such directors may make provisions for receiving traveling libraries from the county in which they are located and from the library commission. The village trustees or town board may transfer the library thus established and the property belonging to it to a board established under Sections 931 and 932.

SECTION 933. Organization:

1. Said directors shall organize by electing officers.
2. Rules and regulations:
Said directors shall adopt rules and regulations for their own guidance and the government of the library.
3. They shall have control of all expenditures of moneys, the supervision and custody of all buildings. The library board shall audit and approve all vouchers.
4. They may appoint a staff, prescribe rules for their conduct and fix their compensation.
5. The board of directors in any free library and the reading room established shall have power to employ competent persons to deliver lectures upon scientific, literary, historical or educational subjects,

and they may cooperate with the University of Wisconsin, or the free library commission, or boards of education, to secure such lectures, or to foster and encourage by other means the wider use of books and literature upon scientific, historical, economic, literary, educational and other useful subjects.

SECTION 933 a. Contracts. Claims against library board:

Any person having any claim for money due on account of contract between him and the library board, in case such claim or any part be disallowed, may appeal to the circuit court. It shall then be the duty of the board to reserve, until a decision is rendered, an amount sufficient to pay the claim.

SECTION 934. Libraries to be free. Appropriation:

Every library established under this chapter shall be forever free for the use of the inhabitants of the city, town or village where located, subject to reasonable regulations of the library board; provided, that the board may, under such conditions as may be agreed upon, allow non-residents to use the books and may exchange such books with any other public library and may send out traveling libraries in their own and adjoining counties; may contract with the supervisors of the county in which the library is situated, or of any neighboring county, with individuals or associations, with the governing bodies of any neighboring town, school district, village or city, to loan them books either singly or in traveling libraries, and the board of directors, county or town supervisors, school board, village trustees or common council are empowered to make contracts for such purpose and pay the consideration agreed upon therein to the board of directors of such library.

The supervisors, trustees or council of such town, village or city, are authorized to appropriate a sum of money annually for the use of such library. Whenever the amount so appropriated shall be equal to or exceed one-sixth of the net income of the library, it shall be the duty of the chairman of the town, president of the village, or mayor of the city within which such library is situated, to appoint from the citizens of the town, village or city making such appropriation, one member of the board of such library, which appointment shall be subject to the approval of the supervisors, trustees or council of the town, village or city making such appropriation. If such town, village or city, fails to make an appropriation, the office of the member so appointed shall become vacant.

SECTION 935. Report:

1. Said board of directors shall submit annually a report to the free library commission, on or before the first day of August.
2. Within thirty days after the completion of the fiscal year of the town, city or village in which said library is located, the library

board shall make reports stating the financial condition of the library.

SECTION 936. Donations:

All persons desirous of making donations of money, personal property or real estate, for the benefit of such library, shall have the right to vest the title thereto in the board of directors created under this chapter, to be held and controlled by such board, when accepted, according to the terms of the deed of gift, devise or bequest, and as to such property, said board shall be held and considered to be special trustees. (Verbatim)

SECTION 936 a. Depositary of gifts:

In all cases where any gift, bequest, devise or endowment shall be made to any public library organized under Section 931 of the statutes of 1898, the library board of such library may pay or transfer such gift, bequest or endowment, or the proceeds thereof, to the treasurer of the city, village or town in which such library is situated, or may in the same manner pay or transfer such gift, bequest or endowment, to any member of such board, to be elected by them and thereafter to be known as financial secretary. Such financial secretary shall hold office only during his membership, and shall be elected annually. Any such treasurer or financial secretary holding moneys or property shall give a bond not less than double the amount of such money or property held by him; shall make an annual report to the board of directors. Such report shall be appended to the annual report of the library board to the common council and to the free library commission.

SECTION 776 (4). Town libraries:

Prescribes method by which electors of a town may vote in regard to the establishment of a town library. Limits sum which may be raised by taxation for purpose of purchasing books, furnishing a place to keep them and paying a librarian, to one hundred and fifty dollars in any one year; this sum to be expended under direction of town board.

SECTION 893 (30). Real estate for libraries in villages:

Gives village authorities right to acquire by gift, grant, devise, donation, purchase or condemnation, any estate, real or personal, for parks, libraries * * * ; to sell, dispose of and convey the same; and to construct, own, lease and maintain buildings for instruction * * * and any other public purpose.

BONDS FOR LIBRARY PURPOSES

STATUTES, 1913, GENERAL CITY CHARTER LAW

SECTION 925-133. Issue of bonds:

The council shall have authority to issue bonds for the following purposes only:

- (1) Building school houses and for public libraries.
- (2)-(9a) Give other purposes for which bonds may be issued.

SCHOOL LIBRARIES

STATUTES, 1913

SECTION 435 e. Establishment. Maintenance:

School directors in cities of first, second or third class are authorized to establish and maintain in school buildings, under their custody and management, evening schools, vacation schools, reading rooms, library stations, * * * without charge; also to cooperate with commissioners or boards of public parks, libraries, museums * * * in providing supervision of such public activities. School directors may be required, by vote of citizens, to carry out provisions of this section. Provides for tax levy of not to exceed two-tenths of a mill on the dollar, such special tax, however, to be subject to approval of voters, at election. Also, common council is empowered to appropriate such sums as it may see fit to turn over to said school directors for purposes described in this act.

STATUTES, 1913

SECTION 165 b. State superintendent to aid school libraries:

State superintendent of schools shall aid in promoting the establishment, maintenance and control of school libraries.

SECTION 166 (2). Advice in book-buying:

(State superintendent) * * * to advise in the selection of books for school district libraries; to prepare lists of books suitable for school district libraries, and furnish copies of such lists to officer whose duty it is to purchase books for school libraries.

SECTION 166 (6). Rules and regulations:

(State superintendent) shall * * * prescribe rules and regulations for the management of township and school district libraries, and the penalties which may be imposed upon district and town officers for any violation thereof.

STATUTES, 1913

SECTION 485. Librarian:

Clerk of the district, or such other person as voters shall appoint, shall be librarian and have the care and custody of the district library, under the supervision of the district board.

SECTION 486. Joint libraries:

The voters of any two or more adjoining districts may, with the approval of the town boards, unite their libraries and library money,

which shall be in charge of librarians appointed by such district boards. Provides also for division of same.

SECTION 486-1. Exchange loans:

1. Library books of one district may be loaned to another district in exchange for other books.
2. County or district superintendents may arrange such exchanges.
3. District receiving such books shall be responsible for losses beyond ordinary wear.
4. Books so loaned or exchanged shall be returned not later than two weeks before the close of the school term.

SECTION 486 a. Township school libraries:

1. Treasurer of every county shall withhold ten cents per capita for each person of school age from the school funds of each district, for the purchase of library books.
2. State superintendent shall certify the number of persons of school age in each town, village and city of the fourth class in the county.
3. County, district or city superintendent of school shall provide for the expenditure of such money for the purchase of library books.
4. Provides for the transfer of money from one county to another.
5. Provides for the method in joint districts.
6. Teacher or principal of each school shall report to the county or district or city superintendent, annually.
7. Provides for the selection and purchase of books, and method of payment for the same. (As amended, Laws, 1915, chapter 423).
8. Is lacking.
9. Payment of transportation charges.
10. Distribution of books to schools.
11. Exchanges of books.
12. State superintendent given authority to suspend the operation of this section in any school district or sub-district in which there is maintained a free public library or in any district or sub-district wholly or partly in a village or city in which there is maintained a free public library.

SECTION 486 b. Librarian:

Clerk, unless otherwise ordered by the school district, shall act as librarian.

SECTION 486 c. Superintendents of agricultural institutions shall provide bulletins of such institutions to such libraries.

SECTION 486 d. Librarian:

In townships, secretary of the town board of school directors shall be librarian.

SECTION 486 e. Library committee:

State superintendent of instruction, secretary of Wisconsin free library commission, and attorney general, constitute a committee to secure bids and make contracts for supplying books and periodicals to the schools of the state.

SECTION 486 f. Method of securing bids.

SECTION 486 g. Deposit of one thousand dollars required from bidders.

SECTION 486 h. Bond of ten thousand dollars required from successful bidder.

SECTION 486 i. Duty of purchasing committee:

When successful bidder has been determined, all officers whose duty it is to purchase books shall be notified by a circular.

SECTION 486 j. Makes it a misdemeanor punishable by fine, for any person to purchase books from the school fund income from any dealer other than the dealer named in the contract.

SECTION 486 k. Rebinding of school library books:

Library committee constituted in section 486 e shall make out an approved list of firms engaged in book-binding. The section provides a very carefully prepared method for the rebinding of books from the school libraries by such firms.

SECTION 486 m. Provides that superintendents shall turn over to their successors in office sample books, carefully listed.

SECTION 501. Who not to deal in school books.

Forbids any officer or teacher of the school to act as agent for anything sold to schools, including school library books.

CORPORATIONS

STATUTES, 1913

SECTION 771. Three or more adult persons, residents of the state, may form a corporation to conduct or maintain any one of the following named purposes: * * * libraries and other like institutions.

SECTION 1783. Any such corporation, formed for the establishment and maintenance of lyceums, libraries, art galleries and the like, shall have power to prescribe regulations for protection of, and to

provide fines and penalties upon person or persons who accept and enjoy the use of the same; may collect the same in a tort action.

DOCUMENTS

LAWS, 1915

CHAPTER 222 provides for distribution of railroad maps to libraries. CHAPTERS 520 and 604 provide for distribution and exchange of documents.

BOOKS FOR THE BLIND

STATUTES, 1913

SECTION 568. School for blind:

States object of school for blind and provides for its control.

SECTION 570. Library for blind:

Books printed in embossed type, bought pursuant to previous laws or the purchase of which the library may hereafter provide for, and such as may be otherwise obtained, constitute a state circulating library for the blind, which shall be kept at the school in charge of the superintendent. All blind citizens of the state shall have the privilege of using such books, subject to the rules and regulations of the superintendent, approved by the state board of control.

FREE LECTURES

STATUTES, 1913

SECTIONS 515 a-515 d. School directors or boards of education are authorized to employ competent persons to deliver free lectures on the natural sciences, on historical, literary, or other educational subjects, in the public schools or libraries or other suitable places and to particularly provide for the further education of adult persons.

WYOMING
STATE LIBRARY
COMPILED STATUTES, 1910

SECTION 386. State librarian. Appointment:

State librarian shall be appointed by the governor, with the consent of the senate, for a term of two years.

SECTION 387. Duties:

Shall have custody of the library and shall keep a regular file of all newspapers in the state which shall be donated.

SECTION 388. Same:

Shall receive and label books.

SECTION 389. Shall receipt for books and keep a record thereof.

SECTION 390. Same:

Shall have power to make rules and regulations and direct all expenditures and appropriations under the supervision of the judges of the supreme court.

SECTION 391. Exchange of books:

Librarian is directed to exchange public documents with other legislative bodies and libraries as he shall deem proper.

SECTION 392. Issue of books:

Names certain officials upon whose order books shall be issued, and fixes the responsibility for the same.

SECTION 393. Report:

Librarian shall report to the legislature on the first day of each regular session.

SECTION 394-7. Mineral specimens:

Provides for the collection of mineral specimens and a cabinet for same.

SECTION 398. Hours of opening:

Provides for hours of opening the library.

SECTION 399. Bond:

Requires from the librarian bond of five thousand dollars (\$5,000).

SECTION 400. Fire insurance:

Requires that the librarian keep the library insured for not less than twelve thousand dollars (\$12,000).

SECTION 401. Books deposited:

Requires the state officers to deposit books received with library.

SECTION 402. Provides the salary of librarian.

SECTION 406. Miscellaneous books:

Provides that a miscellaneous library shall be maintained in the state library.

SECTION 407. Appropriations for same:

Sets aside fifteen thousand acres of land for this purpose.

SECTION 408. Funds:

Provides that the funds from the appropriation of land shall be kept as a Miscellaneous State Library Land Income Fund.

SECTION 409. Balances:

Provides that annual unexpended balances shall remain in the fund.

STATE LAW LIBRARY

SECTION 403. Maintenance:

Sets aside for the maintenance of the state law library fifteen thousand acres of land.

SECTION 404. Funds:

Requires that funds received from this land shall form a special fund for the maintenance of the law library.

SECTION 405. Balances:

Provides that unexpended balances shall remain in the fund.

COUNTY LIBRARIES

COMPILED STATUTES, 1910

SECTION 1316. Tax levy:

When the county commissioner of any county having received proper and sufficient guarantee, whether in the form of conveyance or bonds of citizens or associations or corporations, that a suitable place will be permanently furnished for the protection and use of the public library as a condition precedent to their own actions under the provisions of this chapter, it shall be their duty to levy annually not less than one-eighth and not more than one-half mill on the dollar, for the establishment and maintenance of the county public library to be located at the county seat of such county; and whenever a suitable place is furnished without rent for the use of such library, the directors thereof have the power to pay incidental expenses for repairs, janitor service, light, heat, etc., out of the taxes levied hereunder.

SECTION 1317. How taxes are levied:

Taxes authorized by preceding section shall be levied and collected

as other county taxes; provided, that nothing herein contained shall authorize any levy additional to that now authorized by law.

SECTION 1318. Board of directors. Duties:

The control and use of the library fund shall be entrusted, by the county commissioners of the county, to three citizens of the county appointed by them to constitute a board of directors. The directors shall incorporate; shall serve without compensation. The treasurer of the board shall give approved bonds for the faithful performance of his duties.

It shall be the duty of the trustees to expend the available funds for books, furniture, salaries, and expenses, provided that books so purchased shall be of a kind best suited to inform the mind and improve the character of the reader; and neither professional nor sectarian books shall be purchased out of said funds. Directors shall hold office, one-third for one year; one-third for two years; one-third for three years; thereafter, for three years.

SECTION 1319. Donations. Rooms. Librarian:

Directors are authorized to receive donations of real estate, money or books, in aid of the establishment or maintenance of the library, and, as the trustees of the donor, shall carefully observe the conditions accompanying every such gift.

When no provisions can be made to provide the library with the necessary accommodations for its books and other publications without expense to the library fund, it shall be the duty of the school trustees of the school district embracing the county seat to provide accommodations for it in the best situated school building over which they have control.

The library directors shall appoint a competent person to have immediate charge of the library, with such duties and compensations as they shall fix.

SECTION 1320. Libraries to be free:

Every library established under the provisions of this chapter shall be free to all residents of the county to which it belongs, under reasonable regulations.

In the management of the library, the best possible provisions shall be made for the convenient use thereof by the residents of the county residing outside of the town wherein the library is situated.

SECTION 1321. Report:

It shall be the duty of the directors to keep a record of, and proper vouchers for, their expenditures. They shall report annually to the county commissioners in detail as to the year. Only residents of the county shall be allowed to obtain books from the library.

TOWN AND CITY LIBRARIES

SECTION 1800. Aid to county libraries by cities:

All incorporated cities or towns of the state of Wyoming having more than five thousand inhabitants, which have or may hereafter receive, by donations, buildings to be used as public libraries and which buildings have been or may be maintained, cared for, and kept in repair by the county in which they are situated, shall have the authority to make provision for a part of the maintenance, care or expense of said building when the council of said city or town may deem it advisable or necessary, and may make an appropriation of such an amount as they may deem necessary or proper for such purpose. The expense which may be incurred in the manner provided by this section shall be paid out of the general fund of any such city or town.

LIBRARY ASSOCIATIONS

SECTION 4212. Purpose for which corporations may be formed:

Any number of persons, not less than three, may associate themselves together in the manner hereinafter mentioned for any of the following purposes:

* * * *

Fourth. To establish and maintain a library or a cabinet of mineralogical or metallurgical specimens, or specimens relating to any other science.

* * * *

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In the following index some of the most general subjects, such as are found in some form in practically all states, as, for instance, boards of trustees, are omitted, as the method of providing and organizing a governing body and their powers and duties are generally stated in connection with each library and may readily be found. Tax levies in general are omitted; but reference is made to special phases of tax levy. The index is intended to call attention to legislation which is not so obvious and to note unusual laws. It may also be useful in showing at a glance which states have laws on any particular subject. For this purpose reference is made to the state as well as to the page. In case a subject is treated consecutively in two or more pages, only the first page is noted; if separate and unconnected mention of a subject is made on different pages, it is the intention to note each in the index.

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